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# Mr. BLAINE

— AND —

# HIS FOREIGN POLICY.

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AN EXAMINATION OF HIS MOST IMPORTANT  
DISPATCHES WHILE SECRETARY  
OF STATE.

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# I.

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THE Republican candidate for the Presidency has during the last twenty years played a leading part in the politics of this country. Yet, with one exception, he has held no position which was a test of his capacity for mastering the details of office and his ability not merely to debate, but to decide, questions which concern the national welfare. This exception, however, is an important one. During the Garfield administration Mr. Blaine was so conspicuous a Secretary of State that the English term "Premier" was imported and applied to him, because his seemed too dazzling an individuality to be reduced to the mediocrity of the rest of the Cabinet. Now, it is fair to assume that the methods of Mr. Blaine as President will not materially differ from the methods of Mr. Blaine as Secretary. At this time therefore, when so many are with seriousness and honesty weighing the arguments for and against him, an examination of these ten months of his official life, even if short and incomplete, must be full of useful lessons with regard to his fitness for the higher office which has been so long the object of his ambition.

## THE SPANISH CLAIMS COMMISSION.

Mr. Blaine became Secretary of State in March, 1881, and he had been only a few weeks in office when his attention was attracted by the proceedings of the Spanish Claims Commission, which was then sitting. This Commission was composed of two arbitrators, who could name an umpire whenever they disagreed, and had been established pursuant to the agreement of 1871 with Spain for the settlement of claims of citizens of the United States for wrongs and injuries committed by the Spanish authorities during the Cuban Insurrection. It was specified in the agreement that "no judgment of a Spanish tribunal disallowing the affirmation of a party that he is a citizen of the United States, shall prevent the arbitrators from hearing a reclamation presented in behalf of said party by the United States Government." This allowed the arbitrators to disregard the decision of a Spanish court on the question of citizenship; and as a return for

such a concession, "the Spanish Government may traverse the allegation of American citizenship, and thereupon competent and sufficient proof thereof may be required." It was believed that many of the claims would be based upon fraudulent certificates of naturalization, and this part of the agreement was framed for the purpose of preventing this injustice to the Spanish Government by allowing the Commission, whenever such fraud was alleged, to inquire into the truth or falsity of the allegation. That such inquiry could be made had been expressly conceded by Mr. Blaine's predecessor, Mr. Evarts, in a communication to the Spanish Minister; and therefore when fraud was alleged in the certificate of one Buzzi, who held a claim for half a million of dollars, the umpire, Count Lewenhaupt, the Swedish Minister at Washington, ruled, as a matter of course, that the Commission could go behind the naturalization papers, and inquire into the manner in which they were obtained. In opposition to one of the express conditions of the agreement and the admission of so distinguished a lawyer as Mr. Evarts, Mr. Blaine notified Count Lewenhaupt that he would not permit the Commission to go behind the certificate "to denationalize an American citizen," and that the arbitration could not proceed. This decision was not only unjust but dangerous, because it would have established a binding precedent in future cases when the United States might be the defendant. It bewildered the Commission, and stopped its proceedings as long as Mr. Blaine remained in office. Serious complications with Spain might have resulted, but Mr. Frelinghuysen, within a decent interval after Mr. Blaine's retirement, informed the Commission that a certificate of naturalization could be impeached by showing that "fraud consisting of intentional and dishonest misrepresentation was practiced upon the court which granted the certificate." This directly reversed Mr. Blaine's decision, enabled the Commission to continue peacefully to the close of its labors, and rescued the Government from the disreputable position of holding that there is no difference in the effect of fraudulent and genuine naturalization papers for the purpose of establishing claims against a foreign government.

#### **MEXICO AND GUATEMALA.**

Mr. Blaine refers, in his letter of acceptance, to projects that will "powerfully contribute at no distant day to the universal acceptance of the philanthropic and Christian principle of arbitration;" and he made, while in office, a noteworthy contribution to the practical working of this principle by attempting to arbitrate between the Republics of Mexico and Guatemala. These two countries had dis-

puted for a long time about the ownership of certain provinces, and the Guatemalan minister at Washington, in a letter to Mr. Blaine, had appealed to the good offices of the Government of the United States. Mr. Blaine, as a result of this appeal, on the part of only one of the disputing parties, sent a long dispatch to the Mexican Government, in which he offered arbitration, and conveyed to the Mexican Minister of Foreign Affairs the following information about the history of his own country:—

In the time of the Empire, the forces of Iturbide overran a large part of the territory of what now constitutes Central America, which had then recently thrown off the Spanish domination. The changing fortunes of war resulted in the withdrawal of Mexican forces from most of that region, except the important provinces of Soconusco and Chiapas, which remained under their control. Since that time the boundaries between the two countries have never been adjusted upon a satisfactory basis. Mexico, becoming a republic, did not forego claims *based on the imperial policy of conquest and absorption*,\* while Guatemala, resisting further progress of Mexican arms, and disputing, step by step, the conquests already made, has never been able to come to a decision with her more powerful neighbor concerning the relative extension of their jurisdiction in the disputed strip of territory lying between the Gulf of Tehuantepec and the Peninsula of Yucatan.†

Admiration might be felt, even in these days of Encyclopedias, for Mr. Blaine's research, if this identical information had not appeared in the letter of the Guatemalan minister to Mr. Blaine.‡

After deriving his history from Guatemala, and calling attention to the deep and lasting obligations of Mexico to the United States, Mr. Blaine proceeded to sum up the arguments in favor of Guatemala, and closed with the following startling statement:—

Especially would the President regard as an unfriendly act toward the cherished plan of upbuilding strong republican governments in Spanish America, if Mexico, whose power and generosity should be alike signal in

\* Italics are ours, unless otherwise stated.

† U. S. Foreign Relations, 1881, p. 706.

‡ This is evident by a comparison with the following passage from that letter: "As soon as the Central American republics had shaken off the sway of Spain, Mexico, constituted then as an empire by Iturbide, began to show its tendency to an increase of territory toward the south, by encroaching on the boundaries of the said republics. With that object the armies of the Mexican Empire passed through the whole of Guatemala, and were only stopped by the patriots of Salvador, who defeated them at a place which, in remembrance of such an event, bears to this day the name of Mejicanos. Guatemala lost, nevertheless, the two important provinces of Soconusco and Chiapas.

" Many years later the Central American territory was once more invaded by 400 men of the regular Mexican federal army, who were luckily driven from it. \* \* \* However, the slow and partial annexation of territory has not ceased one single day, showing well that if the form of government in Mexico has changed from the empire to the republic, the tendency to enlarge the territory and to overstep the boundaries toward the south has remained the same." (*Id.*, p. 598.)

such a case, shall seek or permit any misunderstanding with Guatemala, when the path toward a pacific avoidance of trouble is at once so easy and so *imperative on international duty*.\*

Mr. Blaine had too much the air of a judge who had crammed the brief of one party and prejudged the whole case. The unfavorable impression made by allusions to the Mexican "policy of conquest and absorption," could not be cured by references to "our recognized impartiality," "amicable counsel," "purity of motive and benevolence of disposition," nor by holding up this country to view as "the guarantor and guardian of Republican principles."† The Mexican Minister of Foreign Affairs expressed his high appreciation of the kindness of the United States. He replied that the question of appointing a commission to survey the tract in dispute was pending, and that there was nothing to submit to arbitration until that question was decided. This was a polite way of declining with thanks. Mr. Blaine, however, feared that Guatemala "might cede her territorial rights in dispute to some European power"‡—one of the many symptoms of the nightmare about European interference that he suffered during his official experience §—

\* U. S. Foreign Relations, 1881, p. 767.

† *Id.*, p. 766.

‡ *Id.*, p. 770.

§ The following extracts from a very long, but otherwise unimportant, dispatch, dated December 1, from Mr. Blaine to the United States Minister to the Hawaiian Islands, will be interesting in this connection. It was called forth by rumors that the Government of Hawaii was considering the advisability of remedying the decrease of native population by the importation of British coolies and Chinese, and shows that Mr. Blaine's sensitiveness about European interference with an "American system" sometimes verged upon hypochondria: "It is readily seen with what concern this Government must view any tendency toward introducing into Hawaii new social elements destructive of its necessarily American character. The steady diminution of the native population of the islands, amounting to some ten per cent between 1872 and 1878, and still continuing, is doubtless a cause of great alarm to the Government of the kingdom, and it is no wonder that a solution should be sought with eagerness in any seemingly practicable quarter. The problem, however, is not to be met by a substitution of Mongolian supremacy for native control—as seems at first sight possible through the rapid increase in Chinese immigration to the islands. Neither is a wholesale introduction of the coolie element, professedly Anglo-Indian, likely to afford any more satisfactory outcome to the difficulty. The Hawaiian Islands cannot be joined to the Asiatic system. If they drift from their independent station it must be toward assimilation and identification with the American system, to which they belong by the operation of natural laws, and must belong by the operation of political necessity."

\*\* In this line of action the United States does its simple duty both to Hawaii and itself; and it cannot permit such obvious neglect of national interest as would be involved in silent acquiescence in any movement looking to a lessening of those American ties and the substitution of alien and hostile interests. It firmly believes that the position of the Hawaiian Islands as the key to the dominion of the American Pacific demands their neutrality, to which end it will earnestly co-operate with the native Government. And if, through any cause, the maintenance of such a position of neutrality should be found by Hawaii to be impracticable, this Government would then unhesitatingly meet the altered situation by seeking an avowedly American solution for the grave issues presented." (U. S. Foreign Relations, 1881, pp. 638, 639.)

Nowhere in this dispatch does Mr. Blaine suggest a remedy for the evil by recommending a race whose characteristics are purely American.

and persisted in his offers of kind offices until the Mexican minister had passed through the successive stages of surprise, annoyance, and anger. Hitherto he had evidently believed that a friendly power acted as arbitrator at the desire of all the contestants. That arbitration could be forced upon one of them as an "imperative international duty," was a principle of international law that he could not comprehend. He issued a memorandum in which he replied at length to the arguments in favor of Guatemala advanced by Mr. Blaine, and even alluded with some disrespect to the latter's incursion into Mexican history, by remarking that "in this statement several historical inaccuracies are apparent; one especially which must be attributed to misinformation, or an imperfect acquaintance with Mexican history."\* For the purpose of furnishing more reliable sources of information than Guatemalan dispatches, he charitably presented our Government with a number of documents and volumes on Mexican history, two of which, with stately Spanish titles, are described as "enormous."† In a word, his manifest irritation made such an impression upon Mr. Morgan, the Minister of the United States to Mexico, that he tried to discourage his chief from any further discussion of the subject by this plain advice.

I venture to suggest that, unless the Government is prepared to announce to the Mexican Government that it will actively, if necessary, preserve the peace, it would be the part of wisdom on our side to leave the matter where it is. Negotiations on the subject will not benefit Guatemala, and, you may depend upon it, what we have already done in this direction has not tended to the increasing of the cordial relations which I know it is so much your desire to cultivate with this nation.‡

Mr. Blaine did not like advice, and on November 28th, just before leaving the Cabinet, he retorted:—

SIR: Referring to your correspondence with this Department since its instruction tendering the good offices of the Government of the United States in aid of the amicable settlement of the differences between Mexico and Guatemala, I have to remark that it would be a matter of the gravest disappointment if I found myself compelled to agree with you in the conclusion which you seem to have reached in your last dispatch.

\* \* \* \* \*

"To leave the matter where it is," you must perceive, is simply impossible, for it will not remain there. The friendly relations of the United States and Mexico would certainly not be promoted by the refusal of the good offices of this Government, tendered in a spirit of the most cordial re-

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\* U. S. Foreign Relations, 1881, p. 787.

† *Id.*, p. 784.

‡ *Id.*, p. 809.

gard both for the interests and honor of Mexico, and suggested only by the earnest desire to prevent a war useless in its purpose, deplorable in its means, and dangerous to the best interests of all the Central American republics in its consequences. To put aside such an amicable intervention as an unfriendly intrusion, or to treat it, as I regret to see the Mexican Secretary for Foreign Affairs seems disposed, as a partisan manifestation on behalf of claims which we have not examined and interests which we totally misunderstand, can certainly not contribute "to the increasing of the cordial relations which you know it is so much our desire to cultivate with Mexico." \* \* \* You will, therefore, upon the receipt of this instruction, ask for an interview with the Secretary for Foreign Affairs. You will press upon his reconsideration the views which you have already submitted to him; assure him of the earnestness with which this Government desires a peaceful solution of the existing differences, and inform him of our profound regret and disappointment that the tender of our good offices has not been received in the spirit in which it was made.

\* \* \* \* \*

If this Government is expected to infer from the language of Señor Mariscal that the prospect of such a result is not agreeable to the policy of Mexico, and that the interest which the United States have always manifested in its consummation renders unwelcome the friendly intervention which we have offered, I can only say that it deepens the regret with which we will learn the decision of the Mexican Government, and compels me to declare that the Government of the United States will consider a hostile demonstration against Guatemala for the avowed purpose, or with the certain result of weakening her power in such an effort, as an act not in consonance with the position and character of Mexico, not in harmony with the friendly relations existing between us, and injurious to the best interests of all the republics of this continent.\*

From this, it would seem that Mr. Blaine might have been led into active interference, because Mexico would not allow him to settle her boundaries. Fortunately, Mr. Blaine and the whole question disappeared from the scene together. Neither were his apprehensions of European intervention, or of a war between the two countries, ever realized. Even Guatemala must have concluded that there was too much ardor in "the benevolence of disposition" of our Government. Full powers for the settlement of the question were delegated by the Congress of that Republic to President Barrios, and the whole matter — soon after Mr. Blaine's retirement from the Cabinet — was amicably arranged without any intervention on the part of the United States. Mr. Blaine's own account of this occurrence is creditable to his powers of imagination. While fighting his diplomatic battles over again before the Committee in the Chili-Peruvian Investigation, he said: "A minister first special and supplemented by another minister came to this country and asked the

intervention between Guatemala and Mexico. We offered to mediate, and *did mediate as the friend of both parties.*\*

### COSTA RICA AND COLOMBIA.

There was also a boundary dispute between Colombia and Costa Rica; and these republics finally agreed upon the peaceful arbitration of their respective claims. The arbitrator was to be either the King of Spain, the King of the Belgians, or the President of the Argentine Republic. In the belief that Mr. Blaine would be delighted to learn of this instance of the efficiency of the "philanthropic and Christian principle," the Minister of the United States accredited to Colombia hastened to communicate the intelligence to him in the following artless way:—

The deep interest which you have manifested in your instructions to me, that the causes of the strained relations between the Governments of Colombia and Costa Rica might be removed in a friendly manner, perhaps justifies me in adding that, although the differences between these two neighboring republics might not seem to have been of sufficient importance to have called for the elaborate machinery which has been provided for their adjustment, it cannot be otherwise than gratifying to you to learn that by the proposed treaty, now awaiting approval by the Colombian Congress, the danger of a breach of the peace in Central America has been averted, and the anxiety in the public mind connected with that subject has been allayed.†

Mr. Blaine had heard of the proposed treaty from another source, and with the determination that "the anxiety in the public mind connected with this subject" should not be so easily "allayed," he had already sent the following instructions:—

In your dispatch No. 187, date July 19, 1880, you indicate that the settlement of this boundary line will determine whether the islands in the neighborhood of the Boco del Torro, on the Atlantic coast, and the Gulf of Dolce, on the Pacific, be properly within the territory of the State of Panama or the Republic of Costa Rica.

If I have rightly understood you, therefore, this contention involves the question as to whether certain portions of the littoral on both oceans, lying in the neighborhood of some of the projected interoceanic communications, belong to the State of Panama, the neutrality and *territorial integrity* of which the United States of America has guaranteed by the thirty-fifth article of the treaty of 1846, or to Costa Rica, with whom our treaty relations are different.

Under these circumstances, while the Government of the United States of America does not expect or claim the position of necessary arbitrator in

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\* House Report, No. 1790, 47th Congress, First Session, p. 240.

† U. S. Foreign Relations, 1881, p. 354.

differences between those two republics, it cannot but seem strange that Colombia has not communicated to this Government its intention to submit to arbitration the boundaries of the State of Panama, the *territorial integrity* of which the United States of America has guaranteed by a treaty, the provisions of which it has been more than once called on to execute.

\* \* \* \* \*

You will take an opportunity, as from yourself, not under instructions from, but with full knowledge of, your Government, to say to the Minister of Foreign Affairs that the Government of the United States of America cannot satisfactorily account for the absence of any official communication upon a subject in which it is so directly interested; and that while it recognizes the wisdom of the method of arbitration in the solution of international differences, and has no objection to urge to the arbitrators who have been named, it thinks that its opinion, both as to the character of the submission and the choice of arbitrator, should have been consulted and considered, and that it will not hold itself bound, where its rights, obligations, or interests may be concerned, by the decision of any arbitrator in whose appointment it has not been consulted, and in whose selection it has not concurred.\*

For the purpose of heading off European intervention, he informed the King of the Belgians: —

It belongs, of course, to His Majesty the King of the Belgians to determine how far his acceptance of the arbitration which has been asked of him, will be influenced by the fact that he may be called upon to decide questions of grave consequence and direct interest to this Government which have been raised without our knowledge, and are to be settled without our participation. But it is proper, in order to avoid any future misunderstanding, or anything that may then be construed into intentional disrespect of the decision which His Majesty may make, that His Majesty should be informed that while the Government of the United States has neither formed nor desires to express any opinion upon the merits of the convention between Costa Rica and the United States of Colombia, yet it will not hold itself bound by any decision which would modify or limit either the rights or interests which may have been secured to it by the treaty of 1846, the obligations of which it has discharged, from the date of its signature to the present day, with scrupulous fidelity, unless it has had full opportunity to explain and enforce those rights and interests before an arbitrator in whose appointment it has been consulted and in whose selection it has concurred.†

And gave notice in about the same terms‡ to the King of Spain; but to the President of the Argentine Republic he seems to have paid no attention.

As a result of these dispatches the Government of Costa Rica deferred any immediate action. In the words of the representative of that Government to Spain, the position of the United States was a "cloud upon the project."§ Mr. Blaine denied the right of a friendly

\* U. S. Foreign Relations, 1881, pp. 355, 356.

† *Id.*, p. 72.

‡ *Id.*, p. 1057.

§ *Id.*, p. 1067.

Government to arrange its own boundary lines. Only the strongest reasons based on immediate danger to important interests could excuse this champion of arbitration as "an imperative international duty" for so dictatorial a proceeding. Such interests he claimed from Article XXXV. of the treaty of 1846 with Colombia. This article is a great factor in Mr. Blaine's diplomacy. In addition to the lavish use of it in the above dispatches, it is the groundwork of his remarkable circular to the European powers in reference to the Panama Canal. It requires, therefore, a careful examination.

#### THE TREATY OF 1846 WITH NEW GRANADA.

In 1862 New Granada, which included the State of Panama, took the name of the United States of Colombia. The treaty of the 12th of December, 1846, with New Granada was a general treaty of peace, amity, navigation, and commerce. The object of Article XXXV. was to define the relations of the two countries to the Isthmus of Panama. The first part of the article recites the benefits that the United States is to receive. It is to have the same rights and privileges in commerce and navigation, to be liable to no more than the same tolls, and, in all important respects, to be considered in the same position, as New Granada herself. For these benefits, as in every contract, the United States is bound to give something in return; and, therefore, "as an especial compensation for the said advantages and for the favors it has acquired by the fourth, fifth, and sixth articles of this treaty, the United States grants, positively and efficaciously, to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and, in consequence, the United States also guarantees, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory." The treaty was to run for twenty years. If, however, twelve months before the expiration of that time, neither Government should notify the other of its intention to reform or abrogate it, the treaty was to continue until such twelve months' notice should be given. No such notice had ever been given by either Government, and the treaty was still in force; but the fact that it could be abrogated in so short a time made it very insecure ground for diplomatic manœuvres.

In Article XXXV. there is no statement of any guarantee of territorial integrity; and when Mr. Blaine alleges, as he does repeatedly,

that the United States had guaranteed the "territorial integrity" of the State of Panama, he uses a phrase that is coined for the occasion. The United States guarantees two things — the neutrality of the Isthmus and the rights of sovereignty and property of New Granada over that portion of its territory. The guarantee is — to use the legal expression — the consideration moving from the United States to the other contracting party; or, to put it more plainly, the benefit conferred by the United States upon Colombia in return for the advantages received from that Government. It can therefore give the United States no right to interfere with the action of Colombia herself, because such a right would be a restriction on the freedom of action of that Government, and therefore not a benefit. This is perfectly plain on the face of the treaty, but there is also a decision expressly in point. In 1865 there was an insurrection in Colombia, and that Government appealed for aid to the United States. Under the following opinion of the Attorney-General aid was refused: —

"The United States did guarantee New Granada in the sovereignty and property over the territory. This was against other and foreign Governments. Without language more explicit and direct to that end, it cannot be that New Granada desired, or that the United States intended to give, a guarantee to New Granada against the conduct of the citizens of the latter. The acceptance of such a guarantee would amount to a surrender of sovereignty on the part of New Granada. \* \* \* \* The history of the relations which this Government has ever borne toward other nations of the world, forbids the idea that it ever desired or intended to obtain such control over the internal affairs of any other Government. The positive and efficacious guarantee of perfect neutrality mentioned in the treaty must be regarded as having reference to foreign powers." \*

For the same reasons the United States, by guaranteeing the neutrality of the Isthmus, does not become the sole guarantor. This would give it the right to interfere against Colombia herself whenever that Government should invite any other nation to become a guarantor also.

Any misconception of Article XXXV. could have been prevented by a glance at the history of the treaty. In 1856, 1868, and 1870 attempts were made by the Government of the United States to increase its control over the Isthmus by a new treaty or an amplification of the original treaty. All such attempts were resisted by the Colombian Government. As late as the administration of President Hayes, when the Salgar-Wyse Convention was made, in which the Colombian Government granted certain concessions to M. de Lesseps relative to the construction of a canal, it occurred to Mr. Evarts that

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\* Opinions of the Attorney-Generals, Vol. XL, p. 392.

such concessions might affect the interests of this country. This was not an unnatural conclusion, as the rights and privileges granted by the treaty of 1846 to the United States applied "to any modes of communication that now exist or may hereafter be constructed." Mr. Evarts did not assume, however, that he could interfere with the rights of Colombia over her own territory, but undertook to secure an amplification of Article XXXV. giving to the United States the right to revise such concessions. The Colombian Minister at Washington refused to open a discussion on such a basis.\*

The United States then yielded its claim to a revision of the concessions, and a protocol † was drawn up, the principal effect of which was to limit the use of the canal for war vessels in time of peace to Colombia and the United States; or if war vessels of other nations were at any time allowed to use it, they could only do so "subject to such regulations and restrictions as the said contracting parties may jointly adopt." This protocol the Colombian Minister consented to sign; but on his return to Colombia to obtain the ratification of his Government, the Government not only rejected the protocol, but the people accused him of treason.‡ The excitement ran so high that the recall of the Minister to the United States was requested. In the meantime, Mr. Blaine had succeeded Mr. Evarts, and the notification of the Colombian Government of its disapproval of

\* As will be seen by the following, he did so in strong terms: "He did not even imagine that the enlightened American Government proposed to discuss the right of Colombia, as an independent and sovereign nation, to conclude conventions of the nature of that which she has concluded with Mr. Lucien N. B. Wyse for the construction of an interoceanic canal through her own territory.

† Although the 'whereas' of the draft presented to him are based upon the very obligations contracted by the Government of the United States of America in Article XXXV of the aforesaid treaty of 1846,—that is to say, upon obligations designed to guarantee the sovereignty of Colombia over the Isthmus of Panama,—Article I. of the draft prepared by his excellency the Secretary of State is, in the opinion of the undersigned, in direct derogation of the very sovereignty which it is proposed to guarantee, when it proposes to Colombia to agree that before granting a privilege similar to that which it has granted, it needs to secure the consent and approval of a foreign power." (U. S. Foreign Relations, 1881, pp. 381, 382)

‡ U. S. Foreign Relations, 1881, p. 374.

† Nothing can demonstrate more clearly how far from the Colombian mind was the idea of a sole guarantee by the United States, than the following extract from the defense of the Colombian Minister, for having signed the protocol granting these concessions to the United States: "No great effort of the imagination is required to discover that the intention of the Colombian Minister in drafting that part of the article of the protocol just copied, was to determine the possibility that by treaty, other powers might also take part in guaranteeing the neutrality of the interoceanic route and the sovereignty of Colombia over its own territory; thereby inducing these powers to hasten the celebration of the said treaties with the bait of concessions made to the United States, this up to the present time having been the only nation that had offered her guarantee, and *this same constituting the foundation of all the concessions hitherto granted.*" (U. S. Foreign Relations, 1881, p. 386.) The italics are in the original.

the protocol was made to him. Neither in the protocol nor in the original proposition of Mr. Evarts was it affirmed that the United States should have the sole guarantee of neutrality.

#### THE PANAMA CANAL.

According to Mr. Blaine, however, the treaty gave him not only the right to prevent any settlement of the boundaries of Colombia without his permission, but also to forbid any action on the part of that Government looking to a guarantee of the neutrality of the Isthmus from any other nation than the United States. He created in the original treaty, rights that were not even claimed in the amplification. As soon as he heard "rumors" that Colombia intended to ask the European powers for some sort of joint declaration of the neutrality of the Isthmus, he sent a circular to all the European powers, and the following dispatch to the Minister of the United States accredited to Colombia:—

Your No. 269 \*\* reports the rumors which reach you confidentially, to the effect that Colombia is seeking from the European powers some sort of joint declaration of the neutrality of the Isthmus of Panama, as well as of Colombian sovereignty over the territory thereof.

In view of like rumors which reached me from various channels, exhibiting a tendency on the part of some of the maritime powers to consider the expediency of uniting in such a guarantee, I had already prepared a circular instruction to the representatives of the United States in Europe, directing them in event of their having cause to believe that this movement is assuming tangible proportions, to acquaint the respective Governments to which they are accredited with the view of the President—that the existing guarantees, under the treaty of 1846 between the United States and Colombia, are complete and sufficient, and need no supplemental reinforcement from any other source.

I am not yet prepared to direct the communication of this dispatch *in extenso* to the Colombian Government; but if the feeling of excitement which arose on Señor Santo Domingo Vilas's return to Bogotá, and culminated in a request for your recall, should have yielded to a better spirit, showing a return of confidence, you may, if proper occasion offers, inform the Colombian Secretary for Foreign Affairs of the stand taken by this Government to check the apprehended movement of the powers of Europe in the direction of a joint guarantee, as needless, as offensive to Colombia, and to the United States as well.\*

The dispatch was written on July the 24th. At that time Mr. Blaine knew the sensitive condition of the Colombian mind toward the treaty, and that his dispatch and circular would be published. His perversions of a treaty which could be re-formed on twelve months' notice could produce but one result. A resolution was passed

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\* U. S. Foreign Relations, 1881, pp. 356, 357.

by the Colombian Congress instructing the President of Colombia to notify the President of the United States of the intention of Colombia to abrogate the treaty. Mr. Blaine, however, left the Cabinet just before the resolution was passed, and Colombia, like many other nations, felt the consequent lull that set in, after his departure, in our foreign relations. The notice has therefore not been sent to our Government, but is probably being held in reserve until Mr. Blaine himself, or some one equally sensational, shall control the State Department.

The broadcast distribution of the above-mentioned "circular instruction" was one of the most famous of Mr. Blaine's undertakings in diplomacy, but is also one of the hardest to understand. In the first place, Mr. Blaine assumed that the treaty with New Granada gave the United States the right to be the sole guarantor of the neutrality of the Isthmus. This assumption has been shown to be groundless. In the second place, he overlooked a treaty the existence of which not only proved his premises to be false, but gave a somewhat comic appearance to the peremptory tone of the circular. The treaty with New Granada was not ratified until 1848. In 1850, only two years later, the Clayton-Bulwer treaty was ratified with Great Britain. This treaty was necessitated by a complication of the interests of Great Britain and the United States in Central America, and for the purpose of adjusting the relations of the two countries to a proposed canal through that territory. However advantageous it may be for the United States to obtain the sole guarantee of the neutrality of the canal, this treaty had never been abrogated, and until abrogated was the supreme law of the land. Bearing this in mind, the principal extracts from the treaty and the circular will be entertaining and instructive, as a commentary upon Mr. Blaine's diplomatic methods.

Dispatch of June 14th, sent by Mr. Blaine to Mr. Lowell, United States Minister to Great Britain, and *mutatis mutandis* to the other United States Ministers in Europe.\*

The United States recognizes a proper guarantee of neutrality as essential to the construction and successful operation of any highway across the Isthmus of Panama,

The Clayton-Bulwer Treaty between the United States and Great Britain, ratified July 4, 1850.

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\* U. S. Foreign Relations, 1881, pp. 537, 540.

and in the last generation every step was taken by this Government that is deemed requisite in the premises. The necessity was foreseen and abundantly provided for long in advance of any possible call for the actual exercise of power.

In 1846 a memorable and important treaty was negotiated and signed between the United States of America and the Republic of New Granada, now the United States of Colombia. By the thirty-fifth article of that treaty, in exchange for certain concessions made to the United States, we guaranteed, "positively and efficaciously," the perfect neutrality of the Isthmus, and of any inter-oceanic communications that might be constructed upon or over it for the maintenance of free transit from sea to sea; and we also guaranteed the rights of sovereignty and property of the United States of Colombia over the territory of the Isthmus as included within the borders of the State of Panama.

In the judgment of the President, this guarantee given by the United States of America does not require re-enforcement, or accession, or assent from any other power. \* \* \*

If the foreshadowed action of the European powers should assume tangible shape, it would be well for you to bring to the notice of Lord Granville the provisions of the treaty of 1846, and especially of its thirty-fifth article, and to intimate to him that any movement in the sense of supplementing the guarantee contained therein would necessarily be regarded by this Government as an uncalled-for intrusion into a field where the local and general interests of the United States of America must be considered before those of any other

#### ARTICLE I.

The Governments of the United States and Great Britain hereby declare that neither one nor the other will ever obtain or maintain for itself any exclusive control over the said ship canal; agreeing that neither will ever erect or maintain any fortifications commanding the same or in the vicinity thereof, or occupy or fortify or colonize or assume or exercise any dominion over \* \* \* any part of Central America. \* \* \*

#### ARTICLE V.

The contracting parties further engage that when the said canal shall have been completed, they will protect it from interruption, seizure, or unjust confiscation, and that *they will guarantee the neutrality thereof*, so that the said canal may forever be open and free, and the capital invested therein secure. \* \* \*

power save those of the United States of Colombia alone, which has already derived, and will continue to derive, such eminent advantages from the guarantee of this Government. \* \* \*

Any attempt to supersede that guarantee by an agreement between European powers \* \* \* would be regarded by this Government as an indication of unfriendly feeling.

During any war to which the United States of America or the United States of Colombia might be a party, the passage of the armed vessels of a hostile nation through the canal at Panama would be no more admissible than would the passage of the armed forces of a hostile nation over the railway lines joining the Atlantic and Pacific shores of the United States or of Colombia.

\* \* \* \* \*

You will be careful, in any conversations you may have, not to represent the position of the United States as the development of a new policy, or the inauguration of any advanced, aggressive steps to be taken by this Government. It is nothing more than the pronounced adherence of the United States to principles long since enunciated by the highest authority of the Government, and now, in the judgment of the President, firmly inwoven as an integral and important part of our national policy.

#### ARTICLE VI.

The contracting parties in this convention engage to invite every State with which both or either have friendly intercourse, to enter into stipulations with them similar to those which they have entered into with each other, to the end that all other States may share in the honor and advantage of having contributed to a work of such general interest and importance as the canal herein contemplated. \* \* \*

#### ARTICLE II.

Vessels of the United States or Great Britain traversing the said canal shall, in case of war between the contracting parties, be exempted from blockade, detention, or capture by either of the belligerents; and this provision shall extend to such a distance from the two ends of the said canal as may hereafter be found expedient to establish.

#### ARTICLE VIII.

The Governments of the United States and Great Britain having not only desired, in entering into this convention, to accomplish a particular object, *but also to establish a general principle*, they hereby agree to extend their protection, by treaty stipulations, to any other practicable communications, whether by canal or railway, across the Isthmus which connects North and South America, and especially to the *interoceanic communications*, should the same prove to be practicable, whether by canal or railway, which are now proposed to be established by the way of Tehuantepec or Panama. \* \* \*

It will be remembered that in the dispatches which stilled the arbitration between Colombia and Costa Rica, Mr. Blaine continually quoted the treaty of 1846 with New Grenada as guaranteeing the "territorial integrity" of the Isthmus. In the circular to the European powers no claim is made to such a guarantee. Mr. Blaine's report of the contents of the treaty is adapted to the circumstances of each particular case. There was no question of boundary to be argued with the powers, and the invention of the phrase "territorial integrity" was, therefore, unnecessary. To compensate for this omission, they were informed of various geographical and statistical facts: that the possessions of the United States on the Pacific coast are "imperial in extent;" that "the States of California and Oregon and the Territory of Washington, larger in area than England and France, produces a ton of wheat to each inhabitant."

The countries to whom the circular was addressed, with the exception of England, felt very little interest in the question so suddenly thrust upon them, and replied with an air of polite indifference. France had "received no official communication" of an application for a joint guarantee, but would read the dispatch "with due care and consideration."\* Italy showed that "the subject was not new," but "could not pronounce any opinion"† for the present. Russia "had no knowledge of the existence of such a proposition."‡ Spain "had not only not received any invitation," \* \* \* "but this was the first information it had had of any such proposition."§ Sweden and Norway did not know, but thought that "Great Britain might have some objection;" whereupon they were assured by the United States Minister at Stockholm that the Pacific slope was "one of the fattest pieces of territory on the face of the earth."|| Austria-Hungary, although invoked by no less a personage than Mr. William Walter Phelps, "really felt very little interest in the question," and had the bad taste to say so, even after Mr. Phelps had stated "that it was only an old policy, and the declaration of an old right, which was founded on a solemn treaty more than twenty years ago," and had adorned the discussion with "a running commentary and analysis in the simpler language of the *salon*" and with arguments "in literary and undiplomatic *dishabille*."¶ With England the affair was more serious. It may be diplomacy to talk of an old policy that had never existed, and a solemn treaty which gives no grounds for your posi-

\* U. S. Foreign Relations, 181, p. 417.

† *Id.*, p. 658.

‡ *Id.*, p. 1028.

§ *Id.*, p. 1062.

|| *Id.*, p. 1073.

¶ *Id.*, p. 61.

tion, to foreign powers who do not feel sufficient interest to investigate the truth of such statements, but it is hard to find any explanation for such action toward England, the other contracting party in the Clayton-Bulwer Treaty. A late celebrated English statesman, when charged with having written certain objectionable lines in one of his early poems, emphatically denied the charge, and to prove that he was right, republished the poem with the lines omitted. In the same way the subtle Secretary of State may have believed that to ignore the treaty was to make it non-existent. But we find that he afterward, of his own accord, admitted its existence, and present binding force. Perhaps he supposed that treaties could be eliminated at will from the solution of any international problem. This theory is also upset when we remember his veneration for the sacred character of the impotent but omnipresent treaty of 1846. There is but one explanation left. At the time Mr. Blaine wrote his circular, in all probability he did not know of the existence of the Clayton-Bulwer Treaty, or if he had heard of it, he must have forgotten its object and results.

The circular was distributed on June 24th. From the English Foreign office for almost five months no reply was received. Finally, on November 10th, Lord Granville wrote as follows:—

Her Majesty's Government have noted with satisfaction the statement made by Mr. Blaine that there is no intention on the part of the Government of the United States to initiate any discussion upon this subject, and in the same spirit I do not now propose to enter into a detailed argument in reply to Mr. Blaine's observations.

I should wish, therefore, merely to point out to you that the position of Great Britain and the United States with reference to the canal, irrespective of the magnitude of the commercial relations of the former power with countries to and from which, if completed, it will form the highway, is determined by the engagements entered into by them respectively in the convention which was signed at Washington on the 19th of April, 1850, commonly known as the Clayton-Bulwer Treaty, and Her Majesty's Government rely with confidence upon the observance of all the engagements of that treaty.\*

There is a conciseness about this that verges upon irony. It is in very sharp contrast to Mr. Blaine's sonorous proclamation. The English Minister does not take advantage of the treaty by a mere citation. With more than twenty years' experience as a Cabinet Minister, he has the air of a teacher instructing a pupil; he tells him at what place and on what day the treaty was signed, and that it is commonly known as the Clayton-Bulwer Treaty. He even seems upon the point of mailing him a copy, and he might have done so if

the action of the Mexican Minister had been suggested to him as a precedent. In the meantime, however, Mr. Blaine had detected the existence of the Clayton-Bulwer Treaty. On November 19th he wrote a dispatch which crossed Lord Granville's communication of November 10th; in this he not only condescended to admit the force of the treaty, but to suggest reasons for its abrogation. One theory has been given, and now it is only fair to hear Mr. Blaine's own explanation of his omission of all mention of the treaty in one dispatch and his acknowledgment of it in the other. When lecturing upon his South American Policy before the Committee in the Chili-Peruvian investigation, he went out of his way to throw this light upon the subject:—

But, practically, both the communications—both the papers—were prepared at the same time; that is, the original circular letter of the 24th of June, when sent, had the sequel to it blocked out, and so far blocked out that the President and myself had gone over the points to be presented, and the notes upon it were very full. That, when the President was shot, was laid aside, and was never withdrawn from its pigeon-hole until President Arthur had been thirty or forty days in the exercise of his Presidency, but was sent weeks after he had succeeded by reason of the President's death.\*

To remain pigeon-holed for five months was an ignoble fate for a document that ought to have gone to England with the great circular. Of course, the English Government would judge of the dispatches by the dates, and the explanation is of no importance from an international point of view. Like an aside in a play, it is meant for the spectators, and not the actors. It is only necessary to look over the parallel passages of the circular and the treaty, as given above, to see that Mr. Blaine's explanation—to put it mildly—must have been based on an imperfect recollection of the facts. If it were true, the matter would look more whimsical than before. Some consideration might be shown for a diplomat overwhelmed by the magnitude of the interests intrusted to him, forgetting the existence of an important treaty, but finding out and correcting his error five months afterward. To supplement a dispatch in which every argument assumes the non-existence of a treaty by another admitting the treaty, and arguing in favor of its abrogation, would be too remarkable an exhibition even for Mr. Blaine's diplomacy. One is ignorance, the other stupidity. Now, Mr. Blaine is not a stupid man, and we refuse to accept this explanation. The more plausible theory of ignorance is much more flattering to him.†

\* House Report, No. 1790, 47th Congress, First Session, p. 205.

† It is gratifying to observe that Mr. Blaine's explanation is not accepted by an enthusi-

It is unnecessary in these limits to discuss the Monroe Doctrine. Let us admit that the correct policy for the United States is to secure the control of any canal through the Isthmus. The first step in such a policy is to procure the abrogation of the Clayton-Bulwer Treaty. A skillful negotiator working for that end, would as courteously as possible suggest his reasons for the desired changes ; he would, above all things, avoid saying anything that would lead the other Governments to resist his proposals, and to stand upon their rights as a matter of national feeling. Lord Palmerston once said that courtesy was not an American fault, but that the American Government was often allowed by European diplomacy to take liberties in dispatches because such documents were often mere speeches to the people. Mr. Blaine proved this assertion. It is no exaggeration to say that between European Powers the tone of his dispatches of June 14th and November 19th would have resulted in a cessation of friendly relations. Taken in connection with the entire and offensive disregard of the treaty in the circular of June 14th, the use of the following statements, however true, in the dispatch of November 19th, at the beginning of a delicate negotiation for the abrogation of the treaty, is typical of a system of diplomacy that is peculiar to Mr. Blaine.

The military power of the United States, as shown by the recent Civil War, is without limit, and in any conflict on the American continent altogether irresistible.

\* \* \* \* \*

This Government, with respect to European States, will not consent to perpetuate any treaty that impeaches our rightful and long-established claim to priority on the American continent.

\* \* \* \* \*

If it be asked why the United States objects to the assent of European Governments to the terms of neutrality for the operation of the canal, my answer is that the right to assent implies the right to dissent, and thus the whole question would be thrown open for contention as an international issue. It is the fixed purpose of the United States to confine it strictly and solely as an American question, to be dealt with and decided by the American Governments.

\* \* \* \* \*

You will at the earliest opportunity acquaint Lord Granville with the purpose of the United States touching the Clayton-Bulwer Treaty, and, in your own way, you will impress him fully with the views of your Govern-

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astic supporter, who defends him in the following cogent manner : "He forgot a certain matter of fact, the item in the Clayton-Bulwer treaty. But this was no crime. We cannot all be omniscient, like Mr. Tilden. Other people forget matters of fact. Some in Boston forgot that the episode of the 'Mulligan Letters,' for instance, was one that did not discredit Mr. Blaine, but made him appear so much the stronger." \* \* \* ("The Case of Mr. Blaine," by Edwin D. Mead, p. 16.)

ment. I refrain from directing that a copy of this instruction be left with his lordship, because, in reviewing the case, I have necessarily been compelled, in drawing illustrations from British policy, to indulge somewhat freely in the *argumentum ad hominem*. This course of reasoning, in an instruction to our own Minister, is altogether legitimate and pertinent, and yet might seem discourteous if addressed directly to the British Government.\*

Mr. Blaine himself seems impressed by the discourtesy of his own dispatch. As the dispatch was published immediately, it was to all effect "addressed directly to the British Government." Of the unfortunate impression made by it, some idea may be obtained from one of the most sensible and temperate of the English Journals.† While admitting the justice of the claim of the United States to the control of the canal, it says: "It is difficult for Englishmen to read such a dispatch unmoved, and to repress the inclination to answer it by a definite refusal to modify the Clayton-Bulwer Treaty, leaving the Government at Washington to take such steps as they may deem expedient. It is vain, however, for nations to give way to temper; the evidence that the wording of the dispatch is intended to please Americans rather than to displease Englishmen, is very strong, and in the interest of both nations it is wiser to regard only the substance of the request thus rudely pressed upon British attention."

### THE IRISH SUSPECTS.

It is impossible to pass from Mr. Blaine's negotiations with Great Britain without alluding to the reputation that he seems to have acquired as the defender of the American citizen abroad — a reputation which he undertakes to sustain in the glowing periods of his letter of acceptance. While Secretary of State, Mr. Blaine had an excellent opportunity for the display of his enthusiasm on this subject. On March 2, 1881, an act was passed by the English Government called the Coercion Act, "for the better protection of persons and property in Ireland." This act in certain cases suspended the right of *habeas corpus*, by providing that in certain "proscribed districts," any person reported by the Lord-Lieutenant to be "reasonably suspected" of certain wrongful acts could be arrested and imprisoned without bail for as long a time as the Government saw fit. Several persons who claimed to be American citizens were arrested under this act as "suspects." The first was Michael P. Boyton, one of the traversers

\* U. S. Foreign Relations, 1881, pp. 555, 559.

† *The Economist*, Dec. 24, 1881.

in the State Trials at Dublin. He claimed to be an American citizen, and, as proof of that claim, produced a passport issued to him by Mr. Seward, when Secretary of State in 1866, and demanded a new one. As there were discrepancies in Mr. Boyton's statements relative to his citizenship, Mr. Lowell declined to interfere or to give him a new passport. On March 31st Mr. Blaine wrote to Mr. Lowell:—

I have received your dispatch No. 140, of the 12th instant, in relation to the arrest of Mr. Michael P. Boyton, and his application for protection as an American citizen. Your action thereon, in connection with your previous action on Mr. Boyton's application for a new passport, *receives the entire commendation of the Department as discreet and proper.*

The facts so far elicited show the wisdom and importance of a careful examination of cases giving rise to international complaints; and while it is most desirable to omit no steps or take no positive action which might result in unduly embarrassing an American citizen in the assertion of his personal rights or hindering his immediate protection in case of urgent need, it is on the other hand equally desirable that you should be (as you appear to have been) watchful to guard against introducing any avoidable element of uncertainty or contradiction into the discussion of questions of such intrinsic gravity between the two Governments. In the case of Mr. Boyton, as in any other which may arise, I have every confidence in your discretion, equally with your zeal in the protection of American rights.\*

And again on May 26th:—

\* The prudence you have shown in dealing with Mr. Boyton's claim of citizenship is commendable, and the statements as to the law in his case, made in your letters to him, are in full accord with the interpretation of this Department.

In answer to a resolution of the Senate, calling for the facts and correspondence in the matter, I laid before the President a full report, which was communicated to the Senate on the 20th instant. In that report I showed that the evidence presented by Mr. Boyton himself, and by his friends here in his behalf, was not such as to prove his claim to citizenship under our laws.†

The next application was made by Joseph B. Walsh, who was imprisoned some time in April. After several efforts Mr. Lowell succeeded in securing his release in November, on account of ill-health. He was the only "suspect" who was liberated while Mr. Blaine was in office.

On the 26th of May, Mr. Blaine called Mr. Lowell's attention to the arrest of Joseph D'Alton. Mr. Lowell took no action, because he had received no proofs of citizenship, and communicated this to

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\* House Ex. Doc. 155, Part 2, 47th Congress, First Session, pp. 4, 5.

† *Id.*, p. 5.

Mr. Blaine in a dispatch received on July 28th. No further mention was made of this application until Mr. Frelinghuysen became Secretary of State, and instituted an inquiry which resulted in the discovery that no such person had been arrested.

Daniel McSweeny was arrested some time in June, and was the next who appealed to the Legation of the United States. After some delay and correspondence, Mr. Lowell finally wrote to him on September 22d, as follows:—

I have not thought it proper to make any application for your release from prison, for the following reasons:—

The Coercion Act, however exceptional and arbitrary, and contrary to the spirit and fundamental principles of both English and American jurisprudence, is still the law of the land, and controls all parties domiciled in the proclaimed districts of Ireland, whether they are British subjects or not. It would be manifestly futile to claim that naturalized citizens of the United States should be excepted from its operation.

The only case, in my opinion, in which I ought to intervene, would be where an American citizen who is in Ireland attending exclusively to his private business and taking no part whatever in public meetings or political discussions should be arrested. Under such circumstances it would be proper to appeal to the courtesy of the Government here on the ground of mistake or misapprehension, and ask for the release of the prisoner.

I have communicated these views to the Department of State, and I have received, so far, *no instruction in a contrary spirit*.

It does not appear to me that the reasons above given for intervention exist in your case, so far as I understand it.\*

On August 3d Mrs. McSweeny had written to Mr. Blaine, but received no answer, as is seen by a letter from McSweeny himself to his daughter in San Francisco, in which he says: "Your mother wrote to Mr. Blaine about my case, but that gentleman did not deign even a reply. I heard nothing whatever from him. \* \* \* So it would appear that we appealed to the wrong man."† There was no doubt about the citizenship of McSweeny; and his release was with some difficulty obtained after Mr. Blaine was succeeded by Mr. Frelinghuysen.

The case that followed was that of John McEnery, which was presented, about August 3d, to Mr. Lowell by Mr. Brooks, the United States Consul at Cork. The latter sent McEnery's naturalization papers, and asked for instructions. Mr. Lowell, for the same reasons as are given in the above letter to McSweeny, instructed him not to interfere, and on August 11th wrote to Mr. Blaine as follows:—

I have the honor to inclose a copy of the correspondence between Mr. Brooks, the United States Consul at Cork, and myself, in relation to the case

\* House Ex. Doc. 155, Part 2, 47th Congress, 1st Session, p. 69.

† *Id.*, p. 57.

of Mr. McEnery, a "suspect," confined in Limerick Jail, under the so-called "Coercion Act." I hope that the views I have expressed in my letter in relation to the intervention of this Legation in Mr. McEnery's case will meet with the approbation of the Department of State.\*

This was received by Mr. Blaine on August 25th, but he never disapproved of Mr. Lowell's action, nor of his construction of the law. McEnery's release was also effected by Mr. Frelinghuysen.

The last application, while Mr. Blaine was Secretary, was made to Mr. Blaine personally, in behalf of O'Connor, who was arrested on October 22d. He had a brother, P. C. O'Connor, living in Baltimore, who wrote to Mr. Blaine on November 10th, inclosing a copy of his brother's naturalization papers, and asking for intervention on the ground of American citizenship. Mr. Blaine replied to Mr. O'Connor on November 10th in a letter, from which an extract will be given below, but paid no further attention to the matter until December 9th,—just a month after the case had been brought to his attention,—when he sent to Mr. Lowell a copy of the letter and the naturalization papers, with a very brief explanation. O'Connor, like the others, was liberated soon after Mr. Frelinghuysen became Secretary.

This is a summary of the cases that came before the Department of State during Mr. Blaine's term of office. Mr. Blaine left the question entirely to the discretion of Mr. Lowell. From June 2d until his retirement from the Cabinet, at the end of December, he communicated with Mr. Lowell but once in reference to the imprisonment of American citizens, and that was on December 9th, simply to notify him of the application of Mr. O'Connor. Until December 9th, although he continually received information from Mr. Lowell which called for expressions of approval or disapproval, he seems to have preferred to let the matter take its own course, without any assistance or comment from the Department at home. This silence is the more significant because, as appears from what follows, it was probably the result of a change in Mr. Blaine's convictions with respect to the effect of the "Coercion Act."

At first he took the ground with a determined air that an exception should be made in favor of American citizens, as is shown by the following telegram to Mr. Lowell, of May 26th:—

Evidence of Joseph D'Alton's American birth said to have been sent to Consul Barrows. If reasonably satisfactory, say to Lord Granville that if charges lie against D'Alton warranting legal process, we expect no less than a speedy and impartial trial, or, if not tried, his prompt release.†

\* House Ex. Doc. 155, Part 2, 47th Congress, First Session, p. 46.

† *Id.*, p. 6.

And by an extract from a dispatch of June 2d:—

If American citizens while within British jurisdiction offend against British laws, this Government will not seek to shield them from the legal consequences of their acts; but it must insist upon the application to their cases of those common principles of criminal jurisprudence which in the United States secure to every man who offends against its laws, whether he be an American citizen or a foreign subject, those incidents to a criminal prosecution which afford the best safeguard to personal liberty and the strongest protection against oppression under the forms of law, which might otherwise be practiced through excessive zeal.

That an accused person shall immediately upon arrest be informed of the specific crime or offense upon which he is held, and that he shall be afforded an opportunity for a speedy trial before an impartial court and jury, are essentials to every criminal prosecution, necessary alike to the protection of innocence and the ascertainment of guilt.\*

June 2d was the date that closed Mr. Blaine's active connection with this question. His attitude thereafter was purely passive. On June 16th he heard Lord Granville's view of the law in the following dispatch from Mr. Lowell, received on that day:—

I had informed Lord Granville that written instructions were on the way. He replied that as it was not easy for him to understand on what grounds of international law my Government would base its claim that American citizens should be treated better than British subjects, when both had exposed themselves to the operation of an act of Parliament, he should prefer not to give me any more definite answer until I was more fully instructed from home.†

And on July 28th he learned the opinion of Mr. Lowell himself, from the following communication, written in reply to Mr. Blaine's instructions of June 2d:—

I would respectfully suggest whether any step would be gained toward the speedy trial or release of Walsh by an argument against the law itself under which he was apprehended. So long as Lord Granville expressly declines to make any distinction between British subjects and American citizens in the application of this law,—a position which I presume may be justified by precedents in our own diplomatic history,—I submit to your better judgment whether the only arguments I can use in favor of Walsh must not be founded upon some exceptional injustice in the way in which he has been treated.]

Mr. Blaine's continued silence after the receipt of these dispatches in the face of a statute of the United States,§ would in itself be strong evidence that he had retired from his position of May 26th and June 2d, and accepted Lord Granville's view; but positive proof of such a

\* House Ex. Doc. 155, Part 2, 47th Congress, First Session, p. 38.

† *Id.*, p. 40.

‡ *Id.*, p. 43.

§ "Whenever it is made known to the President that any citizen of the United States

retreat is afforded by the following extract from his letter of November 25th to Mr. P. C. O'Connor, to which allusion has already been made.

"The act of Parliament" under which Mr. O'Connor is held, is a law of Great Britain; and it is an elementary principle of public law, that in such a case the Government of that country, in the exercise of its varied functions—judicial and executive—administers and interprets the law in question. The right of every Government in this respect is absolute and sovereign, and every person who voluntarily brings himself within the jurisdiction of the country, whether permanently or temporarily, is subject to the operation of its laws, whether he be a citizen or mere resident, so long as in the case of the alien resident, no treaty stipulation or principle of international law is contravened by the proceedings taken against him. In stating this familiar principle, no more is conceded to Great Britain than every country may of right demand, and it is one of the sovereign rights that the Government of the United States has always insisted upon and maintained for itself.\*

It is needless to inquire which of Mr. Blaine's views is the correct one. It is only necessary to state that the later and riper opinion was not followed by Mr. Frelinghuysen.† Mr. Blaine not only approved of Mr. Lowell's acts, but adopted his opinions. Yet Mr. Blaine poses as the defender of American citizenship, and Mr. Lowell still endures much unpopularity and some invective. This can only be explained on the supposition that the atmosphere of threatening gloom which envelops Mr. Blaine's negotiations with England and the rest of Europe in relation to a canal that may never exist in his generation, has blinded the eyes of many of the American people to his real attitude toward the less magnificent question of American citizenship, in which he felt no interest, and where there was no opportunity for glittering diplomatic display.

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has been unjustly deprived of his liberty by or under the authority of any foreign Government, it shall be the duty of the President forthwith to demand of that Government the reason of such imprisonment; and if it appear to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen; and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary or proper to obtain or effectuate the release." \* \* \* (Revised Statutes of the United States, §§ 2001.)

\* Congressional Record, Vol. 13, p. 1136.

† As is shown by his dispatch of April 25th to Mr. Lowell, in which he says: "The President is aware that Ireland is now in an exceptional condition. But even if all be true which is stated; if it is impossible to conduct a trial by jury of a breaker of the peace with any hope of conviction even with the clearest proof; if the witness who testifies against such an offender does it with his life in his hands; if it be impossible for owners of property to collect rents under any process of law; if those who are responsible for the administration of the law in Ireland are seeking to do away with this unhappy condition—even if all this be true, it furnishes no sufficient reason why an American citizen should remain incarcerated without accusation, without chance of trial, without opportunity for release." (House Ex. Doc. 155, Part 3, 47th Congress, First Session, p. 9.)

## II.

“ If there is any chapter in my life (associated with a great man who has gone) of which I am proud, and of the complete and absolute vindication of which in history I feel sure, it is that in connection with the policy laid down by the administration of President Garfield with respect to the South American States.”\* With these words Mr. Blaine closed his testimony before a Committee of the House of Representatives, which in the spring of 1882, inquired into certain questions connected with affairs in Chili and Peru. How far such admiration for his South American policy is justified by the facts, will occupy the remainder of this examination.

### THE PEACE CONGRESS.

The “ policy laid down by the administration of President Garfield with respect to the South American States,” will, “ in history,” mean the policy of Mr. Blaine with respect to the war between Chili and Peru. Before coming to this, however, something should be said in reference to Mr. Blaine’s scheme for a Peace Congress; not because it is of any importance in itself, but because he has so often alluded to it as something that was great in its conception and glorious in its possible results. To this Congress all the independent States of this continent were invited to send delegates. In the invitations, Mr. Blaine explicitly stated that “ the United States will enter into the deliberations on the same footing as the other powers represented,” and “ as a single member among many co-ordinate and co-equal States,” and that “ its sole aim shall be to seek a way of permanently averting the horrors of cruel and bloody combat between countries.”†

The Peace Conference, like many of Mr. Blaine’s schemes, was shelved by his successor, and the country might never have known the methods whereby he intended to “ avert the horrors of cruel and bloody combat between countries.” Mr. Blaine, however, has always regarded the failure of the Congress with a disconsolate air, sometimes degenerating into bitterness, and on several occasions he has published his views for the public benefit. On September 1,

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\* House Report, No. 1790, 47th Congress, First Session, p. 242.

† U. S. Foreign Relations, 1881, p. 14.

1882, he wrote an elaborate letter to a Chicago magazine, in which he said\* :—

“The Spanish American States are in special need of the help which the Peace Congress would afford them. They require *external pressure* to keep them from war. When at war they require *external pressure* to bring them to peace. \* \* \* The United States cannot play between nations the part of the dog in the manger. We must perform the duty of *humane intervention ourselves* or give way to foreign Governments that are willing to accept the responsibility of the great trust.”

According to the invitation, the United States is to be “on the same footing as the other powers ;” but according to the above letter, this country is to exercise “*external pressure*” and “*humane intervention*.” The statement in the invitation must be taken to be Mr. Blaine’s theory ; that in the above letter, his practice. This will be seen in the examination of his policy toward Chili and Peru. It is evidently his opinion that the only effectual way for the United States to prevent wars between the Spanish American States,— who would be singularly obtuse to purely moral suasion,— is to *enforce* arbitration in the innumerable quarrels of those excitable nations. The grave and expensive responsibility of keeping up a navy and other means necessary to such enforcement, would be an excess of philanthropy which the unimaginative tax-payers of this country would hardly support with enthusiasm.

That peace, however, was not to be the sole object of the Congress is learned from other passages of the letter to the Chicago magazine, and also from an open letter in which Mr. Blaine, on February 3, 1882, took President Arthur to task for destroying the scheme. In this letter he said :—

“At present, the condition of trade between the United States and its American neighbors is unsatisfactory to us, and even deplorable. According to the official statistics of our own Treasury Departments, the balance against us in that trade last year was \$120,000,000—a sum greater than the yearly product of all the gold and silver mines in the United States. This vast balance was paid by us in foreign exchange, and a very large proportion of it went to England, where shipments of cotton, provisions, and breadstuffs supplied the money.

“If anything should change or check the balance in our favor in European trade, our commercial exchanges with Spanish America would drain off our reserve of gold coin at a rate exceeding \$100,000,000 per annum, and would probably precipitate a suspension of specie payment in this country. \* \* \* I do not say, Mr. President, that holding a peace conference will necessarily change the currents of trade, but it will bring us into kindly relations with

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\* Conwell’s Life of Blaine, pp. 351, 352.

all the American nations; it will promote the reign of peace, and law, and order; it will increase production and consumption; and will stimulate the demand for articles which American manufacturers can furnish with profit."

The above is an interesting example of a certain mental phenomenon which an incisive writer has defined as a fixed idea, generating a detailed narrative to support and confirm it. To support and confirm this idea of a Peace Congress, Mr. Blaine proceeds to the generation of facts. In the first place, in calling attention to the possible suspension of specie payment as a result of the drain of our reserve of gold coin by the balance against us in South American trade, he ignores an elementary principle of political economy which he must have heard of or stumbled upon during his long career as a legislator — the principle that when a nation stops exporting it stops importing, and nearly in the same ratio. If the United States could no longer sell to Europe, the United States would no longer buy from South America. In the second place, Mr. Blaine makes the balance of trade against the United States amount to \$120,000,000 for the year 1881. The real balance for that year in favor of the Spanish American countries and against the United States was \$107,000,000. But this figure includes Cuba and Porto Rico. As the invitations to the Peace Congress were extended to the independent nations of this continent and to none others, Cuba and Porto Rico would have no more right to be represented than Spain or France. The omission of these two countries cuts the balance of trade against the United States for that year down to \$53,000,000. Mr. Blaine, for the purpose of his argument, more than doubles the figures which he has the right to use.\*

How a Peace Congress can "increase production and consumption," and "stimulate the demand for articles which American manufacturers can furnish with profit," it is impossible to see. The decay of our South American trade is due to our high tariff, and to the difference between American and European methods of commerce. The evil cannot be cured by a synod of gentlemen engaging in the discussion of abstract principles. The remedies — and the only remedies — are much simpler and humbler. We can sell to the people of South

\* The actual figures for this trade, compiled from the United States' Statistical Abstract for the fiscal year ending June 30, 1881, are as follows: —

Value of exports to the whole of Spanish America . . . . .	\$54,358,789
Value of imports from the whole of Spanish America . . . . .	161,389,913
Value of exports to Cuba and Porto Rico . . . . .	13,128,297
Value of imports from Cuba and Porto Rico . . . . .	66,863,603
Total balance against the United States . . . . .	107,031,124
Balance omitting Cuba and Porto Rico . . . . .	53,295,818

America whenever our prices are as low as those of European nations, and our facilities for transportation equally prompt and abundant.\*

We now come to the consideration of Mr. Blaine's policy in respect to the belligerent republics of Chili and Peru. It will first be necessary to give a short summary of the events of the war down to the time that Mr. Blaine became Secretary of State.

### CHILI AND PERU.

The Chilians were the leaders in the war of independence, at the beginning of this century, which resulted in the expulsion of Spain from the Continent, and the organization of the Republics of Chili, Peru, and Bolivia. From that time Chili has been remarkably free from revolutions, has enjoyed complete religious liberty, and has established a system of education independent of ecclesiastical control. The Government, although in theory resting on popular suffrage, is really a powerful oligarchy, which has always been conducted with great honesty, and with the improvement of the country steadily in view. In people and government Peru affords a sharp contrast to Chili. There all the vices of Spanish dominion have been inherited, and retained. The lower classes are ignorant and vicious; the aristocracy indolent and corrupt; the country is priest-ridden, and revolution after revolution has changed the face of the Government.

To prevent a union between Bolivia and Peru has always been a cardinal principle of the policy of Chili, and she had already broken up a Peru-Bolivian alliance by an appeal to arms in 1839. In 1873, however, a secret treaty of alliance was signed by these two Govern-

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\* Our consular reports set forth in the clearest terms the causes which have given to the nations of Europe almost a monopoly of the South American trade. Briefly summarized they are as follows:—

1. Regular steam communication with the principal South American ports, whereby the receipt of goods can be counted on to a day.
2. The establishment of branch houses or agencies in close connection with the home manfactories and exporting houses.
3. The creation of banking facilities, whereby the receiving and remitting of money and the settling of balances may be effected directly, cheaply, and without trouble.
4. Ability on the part of agents and salesmen to speak the language of the country.
5. Great care in the preparation and in the packing of merchandise for exportation.
6. Attention to the styles and tastes of the South American people, and the absence of all attempts to palm off upon them inferior articles.

Not one of our consular officials, in suggesting means and agencies for improving our trade relations with South America, has mentioned the use of political diplomacy in any form. On the contrary, Consul Baker, of Buenos Ayres, says: "I am satisfied that steam will accomplish more in the matter of making ourselves and our republican institutions known to, and appreciated by, the people of this part of South America than millions of dollars spent in diplomacy."

ments. In addition, there had been a long dispute between Chili and Bolivia, which involved the title to the coast district between the parallels of latitude  $23^{\circ}$  and  $25^{\circ}$ ; this included *Autofagasta*, the only Bolivian port, and certain nitrate and guano deposits of great value. By a treaty in 1874, Chili withdrew her claims to the territory, on the stipulation that Bolivia should impose no taxes upon exports. The Bolivians, in 1878, passed a law taxing exports of nitrates from *Autofagasta*. A Chilian company owning the nitrate works refused payment; the works were advertised for sale, and it was reported that they were to be bought in, for the benefit of a Peruvian nitrate monopoly. On Feb. 14, 1879, the date of the proposed sale, on the ground that the treaty of 1874 had been broken Chilian troops seized *Autofagasta*, and afterward extended their occupation to the whole of the Bolivian coast. Bolivia replied by a declaration of war, on March 1st. Peru sent a special envoy to Chili with a proposal of mediation; but the Chilians had discovered the existence of the secret treaty of 1873, and called upon Peru for an explicit declaration of neutrality. This was refused. The Chilians saw that they would have to deal with both countries, and made a formal declaration of war against Peru, on April 5th.

From the beginning victory was on the side of Chili. Within six months the Peruvians lost both their ironclads. The Chilians then descended upon the defenceless coast, and defeated the allies in every battle. After June, 1880, Bolivia virtually withdrew, and left Peru to carry on the conflict single-handed.\*

The commercial and financial interests of the United States were but slightly affected by the war. The Peruvian bonds, amounting to \$250,000,000, were held in Europe. With both republics the trade of this country was unimportant.†

The representatives of our Government, at an early period of the war, began their exertions to bring about a settlement. Mr. Os-

\* Albert G. Browne, Jr.: *The Growing Power of the Republic of Chili*.

† In 1877, before commerce was in any way affected by the war, the trade of the two countries with Great Britain, France, and the United States, was as follows:—

CHILI.		PERU.	
Exports to.	Imp'ts from.	Exports to.	Imp'ts from.
Great Britain,	\$9,358,000	\$15,442,000	\$6,909,000
France,	5,846,000	3,415,000	4,323,000
United States,	1,907,000	916,000	1,249,000

borne, Mr. Christianey, and Gen. Adams, the Ministers of the United States to Chili, Peru, and Bolivia, respectively, at last succeeded in persuading the belligerents to accept the mediation of the United States; and on October 22d, 25th, and 27th, met the envoys of Chili, Peru, and Bolivia on board the United States corvette Lackawanna, in the harbor of Arica. The allies were already substantially conquered, and Chili, strong in her position, demanded the cession of the Bolivian littoral and the Peruvian province of Tarapacá. The allies replied that this demand alone made further negotiation impossible, and the conference broke up without any result. The Chilians then renewed the war with vigor, and advanced upon Lima. Piérola, who had declared himself Dictator, after the fall of the regular Government of Peru and the flight of the President, withdrew to the mountains. On the 17th of January the Chilians entered Lima, and established a military government. Toward the close of February the principal citizens of Lima met, and appointed Don Francisco Garcia Calderon Provisional President. This action was undoubtedly taken with the permission of the Chilians.

#### THE CALDERON GOVERNMENT.

Such was the condition of affairs when Mr. Blaine became Secretary of State. Peru was conquered, and Chili, at the Arica Conference, had announced her intention to insist upon a cession of territory as one of the terms of peace. In Peru there were two rival governments. The government of the Dictator, Piérola, had already been recognized by the Ministers of the United States and other foreign countries accredited to Peru; its envoys had met the envoys of Chili and Bolivia at the Peace Conference of Arica, with the countenance and authority of the United States; and it was still exercising authority outside of the Chilian lines. The Government of Calderon, on the other hand, had never been recognized by any Government, had no real power, and owed its existence to the consideration of the victors, who hoped to make it an instrument for a peace on their own terms. Of its true character Mr. Blaine received, on April 5th, April 25th, and May 5th, the following information from Mr. Christianey:—

At a superficial glance this would seem to be an attempt to get rid of one dictatorship clearly adopted by the people of the whole Peruvian Republic, and recognized by foreign Governments, including Chili, for a new dictatorship adopted by the majority of a self-constituted meeting of 110 men of Lima and Callao, and recognized as yet by nobody else except Chili. In this aspect merely it would, of course, be simply ludicrous.\*

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\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 456.

I have now to inform you that, from all present appearances, the new Peruvian Government, of which Mr. Garcia Calderon is the head, does not seem likely to be recognized by the people of Peru; and so far as any manifestations of the popular will have come to my knowledge, the mass of the people seems likely to continue its adherence to the Dictator Piérola. Circumstances yet to occur may change all this; but as yet, from the best information I can get, the very localities on whose concurrence the new Government counted, still adhere to Piérola; and even here in Lima, the municipal Government, at a meeting held yesterday, unanimously decided not to recognize it.\*

Upon the whole, the evidence as yet is quite clear that the overwhelming majority of the people of Peru are opposed to the Provisional Government, and still adhere to Piérola; and at present, if the Chilian army should leave to-morrow, the only safety of the members of the Provisional Government would be to leave with them.†

On May 9th, however, only four days after the receipt of the last of these three dispatches, Mr. Blaine authorized Mr. Christianey to recognize the Calderon Government in certain contingencies, and notified him that he had received Señor Elmore as its confidential agent at Washington. Mr. Christianey was surprised at this, and deferred a formal recognition. Replying to Mr. Blaine's communication of May 9th, he wrote, on June 16th, as follows:—

I yesterday had a conference with Admiral Lynch, commander of the Chilean forces here, and with Señor Godoy, the representative of Chili in political matters here, and I found at once that they do not want the Provisional Government of Peru recognized yet, both saying to me that they had not recognized it on the part of Chili, and that they did not wish it recognized by other nations until they had recognized it.

\* \* \* \* \* \* \* \* \* \* \*  
This Provisional Government is not, even as such, a Government *de facto* in any part of Peru, except in a little hamlet of Magdalena.†

And again, on June 21st:

The fact is, that it is not a Government *de facto*, or in the exercise of the functions of Government anywhere, except so far as the Chilean authorities choose to allow it to exercise any powers of the kind; and these are confined within very narrow limits. §

On June 28th Mr. Christianey informed Mr. Blaine that he had finally concluded to recognize the Calderon Government, because he had kept him informed of all the facts necessary for a decision, and had heard nothing in any way modifying the instructions of May 9th, and because Señor Elmore had been received as the confidential agent of that Government; but he added the following statement:—

I must confess that, if left to act entirely on my own judgment, I should

\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 474.

Id., p. 478.

J. *Am. Chem. Soc.*, 502.

§. *Id.* p. 503.

not have recognized this Provisional Government until it should have become a government *de facto*, or until it should have succeeded in assembling a quorum of Congress, nor until we could have seen whether this Congress or that of Piérola (National Assembly) at Ayacucho should represent the most of the people of Peru. But I claim no right to set up my own judgment against that of my Government, believing strict obedience to the wishes of my Government my first and sole duty.\*

And on July 6th he made the following regretful allusions to the recognition :—

I have the honor to state that, as I had some reason to fear when I wrote the last dispatch, I have still more reason to fear now, that the recognition of the Provisional Government of Francisco Garcia Calderon was premature.

\* \* \* \* \* \* \* \* \* \* \*  
Yet in view of your dispatch No. 150, as well as your previous dispatches, it is very clear that you had determined upon the recognition of the Provisional Government, and that I only complied with your wish in making the recognition.

I fear, however, this recognition will lead to many complications. But I have obeyed what I was compelled to consider your orders."↑

From the above correspondence, therefore, it can be asserted that the Calderon Government was not a *de facto* government; that it was recognized contrary to the wishes of the Chilians; that it was recognized in opposition to, and in spite of, the wishes of Minister Christianity, and on the responsibility of Mr. Blaine alone.

## A NOVEL PRINCIPLE OF INTERNATIONAL LAW.

Soon after the recognition of the Calderon Government, Mr. Christianity was recalled from Peru, and Mr. Osborne transferred to Brazil. General Hurlbut was appointed to succeed the former, and General Kilpatrick the latter. Mr. Blaine then made the next development in his policy by asserting, with all the weight of an existent principle, that a victorious nation has no right to demand a cession of territory from the vanquished, except on failure by the latter to pay a money indemnity; or, as he on one occasion somewhat obscurely expressed it, that "hostilities do not, from the mere existence of war, confer the right of conquest until the failure to furnish the indemnity and guarantee which can be rightly demanded." The time may come when a victorious nation under the same circumstances as the Chilians, after having conquered two nations in a war neither sought for nor

\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 505.

† *Id.*, p. 506.

expected,\* may be willing to accept a money indemnity, and resign the territory purchased by so much blood and labor. History does not warrant such a supposition, and, as a principle, it is a purely original contribution by Mr. Blaine to international law. It will be found in no standard work on that subject, and Mr. Blaine had only to look at the history of wars waged in his own lifetime, and even by his own country, to find precedents directly against him. From the dispatches of our Ministers in South America and from the failure of the Arica Conference, he had learned the temper of the Chilians on the question of a cession of territory, and that even if the Government of that nation had been willing to make terms based upon a money indemnity alone, the popular feeling would have rendered the execution of any such agreement impossible. On June 7th he received the following from Mr. Osborne: —

This Government will unquestionably insist upon the relinquishment by Peru of the province of Tarapacá, and unless the Peruvian authorities shall be found ready to concede this, the attempt to make peace will fail.†

Only eight days after the receipt of the above, he issued these instructions to General Hurlbut: —

It will be difficult, perhaps, to obtain this from Chili; but as the Chilian Government has distinctly repudiated the idea that this was a war of conquest, the Government of Peru may fairly claim the opportunity to make propositions of indemnity and guarantee before submitting to a cession of territory. As far as the influence of the United States will go in Chili, it will be exerted to induce the Chilian Government to consent that the question of the cession of territory should be the subject of negotiation, and not the condition precedent upon which alone negotiation shall commence. If you can aid the Government of Peru in securing such a result, you will have rendered the service which seems most pressing.‡

On the same date he expressed himself to General Kilpatrick in terms still more remarkable: —

But at the conclusion of a war avowedly not of conquest, but for the solution of differences which diplomacy had failed to settle, to make the

\* Since this war has proved so successful for Chili, it has become a usage among her adherents to ascribe to her long and mature preparations for it. This is not true. It was a sudden resolution. The fact that only two years before it broke out, a bill to sell the two ironclad warships by the Chamber of Deputies, proves its suddenness. So does the reduction of the National Guard, or militia, which the stringency of the finances had compelled. Also the fact that there was no sufficient store of munitions for a grand campaign, and that the bottom of the ironclads were so foul, that their speed was reduced nearly one-half of the normal rate. (The Growing Power of the Republic of Chili, by Albert G. Brinley, 1871.)

Senate Ex. Doc. No. 79, 47th Congress, First Session, p. 157.

‡ *Id.*, p. 501.

acquisition of territory a *sine qua non* of peace, is calculated to cast suspicions on the professions with which war was originally declared. It may very well be that at the termination of such a contest, the changed condition and relation of all the parties to it may make readjustment of boundaries or territorial changes wise, as well as necessary; but this, where the war is not one of conquest, should be the result of negotiation, and not the absolute preliminary condition on which alone the victor consents to negotiate. At this day, when the right of the people to govern themselves, the fundamental basis of republican institutions, is so universally recognized, there is nothing more difficult or more dangerous than the forced transfer of territory, carrying with it an indignant and hostile population; and nothing but a necessity proven before the world can justify it. It is not a case in which the power desiring the territory can be accepted as a safe or impartial judge.\*

The Peruvian bonds were all held in Europe, and the commercial interests of England, France, and Germany were affected by the war to a far greater extent than those of the United States; but Mr. Blaine was determined to have no European interference, and he gave Gen. Kilpatrick further instructions on that point:—

The Government of the United States seeks only to perform the part of a friend to all the parties in this unhappy conflict between South American republics, and it will regret to be compelled to consider how far that feeling might be affected, and a *more active interposition* forced upon it, by any attempted complication of this question with European politics.†

#### GEN. HURLBUT'S ACTION.

Gen. Hurlbut, as soon as he arrived in Peru, began a series of vigorous, but extraordinary, acts. He took the position that there must be no cession of territory on the part of Peru, and that the United States must interfere to prevent it. On August 10th and 17th he expressed these views to Mr. Blaine as follows:—

The condition is very serious, and demands prompt action if it be the purpose of the United States to save Peru from being obliterated as an independent power.‡

The situation continues to present little hope, unless the United States can and will exercise a salutary pressure upon the belligerents.§

In addition to the regular duties of the Minister of the United States to Peru, he assumed the decision of all questions connected

\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 158.

† *Id.*, p. 512.

‡ *Id.*, p. 159.

§ *Id.*, p. 514.

with the war, and on August 5th he sent the following notification to Gen. Kilpatrick :—

“The United States are not disposed to recognize on this continent the European notion of addition to territory by conquest.”\*

And on August 25th this self-constituted Dictator went so far as to issue the following memorandum to Admiral Lynch, the commander of the Chilian forces :—

Without any reference to the causes of the war, I understand my Government to be of the opinion that all legitimate purposes of war have been accomplished by the overwhelming defeat of the Peruvian armies, the capture or destruction of their navy, and the occupation of the capital and entire sea-coast.

\* \* \* \* \*

The United States concede, as a matter of public law, that Chili has the right (under the code of war) to full indemnity for the expenses of the war; and that Peru ought to pay such indemnity as may be agreed on by the parties, or be determined by a disinterested arbiter, in case they cannot agree (if such mode be selected); and further, that Chili has the right to demand securities, if time is given for the payment.

But we are also very clearly of the opinion that Peru ought to have the opportunity, in full and free discussion of the terms of peace, to offer such indemnity as may be satisfactory; and that it is contrary to the rules which should prevail among enlightened nations to proceed at once, and as a *sine qua non* of peace, to transfer territory undoubtedly Peruvian to the jurisdiction of Chili, without first demonstrating the inability or unwillingness of Peru to furnish indemnity in some other form.

Such a course on the part of Chili would meet with decided disfavor on the part of the United States.

\* \* \* \* \*

We are therefore of the opinion that the act of seizure of Peruvian territory, and annexing the same to Chili, \* \* \* in manifest contradiction of previous disclaimers of such purpose by Chili, would justly be regarded by other nations as evidence that Chili had entered upon the path of aggression and conquest for the purpose of territorial aggrandizement.”†

In the meantime, he had been devoting himself to building up the Government of Calderon and destroying that of Piérola, although the latter Government had at one time been recognized by the United States, and had been represented at the Arica Conference.

\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 513.

† In the dispatch inclosing this memorandum is the following passage: “Mr. Christianity was in the questionable habit of calling together the diplomatic corps and taking counsel on almost all questions, which practically emasculated the United States, and deprived them of their proper leadership. The English and French ministers seem somewhat aggrieved, or pretend to be, at action of any kind by me without concurrence; but, as I stated to one of them, the position of the United States is its own, and only to be determined by itself.” (Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 516.)

For this purpose he even made personal appeals to the leaders of various Peruvian factions, and in the following communication to Garcia, Piérola's secretary, he delivered an express judgment against Piérola's Government:—

The seizure of supreme power by Señor Piérola, and his assumption of an office not known to the constitution, were revolutionary acts, and destructive of proper reverence for law.

The violent and forcible manner in which this revolution was accomplished, gave to the undertaking the nature of a crime against liberty.

The dictatorial office was a simple tyranny, autocratic and despotic in its plans, in its titles, and in its acts. During its existence the constitution of Peru was destroyed, and the mere will of one man was substituted for the laws and the constitution.

\* \* \* \* \*

The Government presided over by Señor Calderon does not assume to possess perfect regularity. It is "provisional"—that is to say, a temporary means of carrying on the Government until the nation can act freely and fairly.

\* \* \* \* \*

You are mistaken when you state that they are in sympathy with the Chilians. They are not. They want peace, as the whole country wants it, but they will not sacrifice the national honor nor cede the national territory to obtain it.

The Chilian authorities are in communication with both parties in Peru, and you yourself have written to Admiral Lynch. Chili wants and demands the territory of Tarapacá, and will recognize any one who will cede it. The Calderon Cabinet will not; it remains to be seen whether the Piérola Cabinet will.\*

On September 20th he concluded an agreement with the Calderon Government for the grant of a naval and coaling station at Chimbote, although that place was in the possession of the Chilians, and of an unfinished railway, which was to be "turned over to him," as intermediary, or trustee, to transfer the same to an American company "to complete, develop, and operate it."† About the same time he telegraphed to the Minister of the United States at Buenos Aires, to request the Government of the Argentine Republic to send an envoy to Lima, although he knew that the feeling in that country was very bitter against Chili, and that the Government was only prevented, by fear of Brazil, from interfering actively in the war.

These acts of Gen. Hurlbut created intense excitement in Chili. After the publication of the Lynch memorandum the Chilian Government appealed to Gen. Kilpatrick; and although contrary to diplomatic usage, he attempted to explain away the effect of Hurl-

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\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 521.

† Id., p. 530

but's proceedings on the assumption that he had acted beyond his authority. The influence of the United States had now brought about a state of affairs that was scandalous. On the one hand, Gen. Hurlbut was enticing the Calderon Government from all thoughts of peace, by declaring that the United States would preserve the territorial integrity of Peru; and on the other, Gen. Kilpatrick was attempting to soothe the Chilians; while each minister, in his dispatches to his Government, was throwing the blame upon the other. The Chilians saw that they must take a decided step, and with their usual determination they took it. Calderon had flooded the country with paper money, and under Hurlbut's influence he now refused to listen to any suggestion of negotiation on Chilian terms. On the 28th of September, Admiral Lynch issued a decree that, with the exception of the municipal authorities, all government over the territory occupied by the Chilian forces should cease except their own military rule. As it had only existed on Chilian sufferance, the Calderon Government fell by that decree. Calderon, however, in defiance of these orders, continued to exercise authority until the Chilians, by his arrest, on November 6th, suppressed his Government effectually. During that interval, from September 28th to December 3d, he was continually encouraged and supported by Gen. Hurlbut, who on informing Mr. Blaine, on October 4th, of the decree against the Calderon Government, said:—

I am not positive as to the real meaning of these extraordinary acts, but am inclined to think that the purpose is to abolish by force all respectable authority in Peru, and especially the one which the United States have recognized.

\* \* \* \* \*

It is a self-evident proposition that no act of Chili, whether from its civil or military authorities, can in any way operate upon the relations which the United States have maintained, or may choose to maintain, with any government in Peru, nor can any military order prevent my treating with Mr. Calderon as representing the sovereignty of Peru. I doubt whether even the Chilian doctrine, as expounded by Lynch, of the rights of conquerors, will go so far as that.

\* \* \* \* \*

There is a very decided tone of arrogance both in the press of Chili and among their officers—born, I think, of their singular success in this war—which may easily become offensive.\*

On October 13th:—

I felt it a point of honor to establish on a basis of popular support this Government, recognized as such by the United States, and *not* <sup>†</sup> recognized by England and France.

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\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 528.

<sup>†</sup> Italicized in the original.

My diplomatic colleagues, especially the British minister, are quite attentive now, and the latter volunteered the statement to me that he was ready to accompany Mr. Calderon to Arequipa, if he went there.\*

In reply to the above dispatch of October 4th, Mr. Blaine sent the following telegram on October 31st:—

Continue to recognize Calderon Government until otherwise specially instructed.†

The Calderon Government might really be called the Hurlbut-Calderon Government. To nourish and sustain it had been the aim of Gen. Hurlbut's policy; and as this telegram contained the first instructions in regard to the policy of the home Government since Gen. Hurlbut's arrival in Peru, it must be taken not only as an assent to the position taken by him in the dispatch of October 4th, but as a complete approval of his policy down to October 31st.

In giving his views of Gen. Hurlbut's policy at a later day, Mr. Blaine said:—

He was a man of very great intelligence; he was a man of very great zeal, and his whole heart was in this question; his whole heart was enlisted with the Peruvian people and the Peruvian cause, more so, indeed, than was prudent for a Minister representing a friendly country—a country friendly to both parties.

Indeed, he committed some imprudences. They were mere indiscretions; they did not in the remotest degree affect his honor or integrity; they were simply indiscretions. It was indiscreet in him to hold communication with the Chilean admiral; it was indiscreet in him to hold communication with the Government of Piérola when he had been accredited to the Government of Calderon; it was indiscreet in him to ask the Argentine Confederation to hurry up a Minister to Peru; it was indiscreet in him to enter into negotiations for the transfer of any rights on Peruvian soil to the United States, which was done in the agreement made with him to cede to us the Bay of Chimbote. \* \* \* I sent down, therefore, a reprimand. I do not like to use so strong a word as that, for I wrote it in the most kindly frame of mind, and the words are not unkind at all. They contained all through expressions not only of official confidence, but of personal regard to General Hurlbut.‡

The reprimand was not sent down until November 22d. By that time it was evident that the State Department would soon pass into other hands; and Mr. Blaine put himself on record against General Hurlbut. Even then he only took him mildly in hand, and chided him for his diplomatic freaks with a parental air. Of the severity of the reprimand the following is an example:—

I learn with regret that a construction has been put upon your language and conduct indicating a policy of active intervention on the part of

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\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 532.

† *Id.*, p. 545.

‡ House Report, No. 1790, 47th Congress, First Session, p. 241.

this Government, beyond the scope of your instructions. As those instructions were clear and explicit, and as this Department is in the possession of no information which would seem to require the withdrawal of the confidence reposed in you, I must consider this interpretation of your words and acts as the result of some strange and perhaps prejudiced misconception.

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I would have preferred that you should hold no communication with Admiral Lynch on questions of a diplomatic character. He was present as a military commander of Chilian forces, and you were accredited to Peru. Nor do I conceive that Admiral Lynch, as the commander of the Chilian army of occupation, had any right to ask or receive any formal assurance from you as to the opinions of your Government.

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If there was anything in your proceedings in Peru to which the Government of Chili could properly take exception, a direct representation to this Government, through the Chilian Minister here, was due, both to the Government and to yourself.

\* \* \* \* \*

I must also express the dissatisfaction of the Department at your telegram to the Minister of the United States near the Argentine Confederation suggesting that a Minister be sent by that Government to Peru.

\* \* \* \* \*

As to the convention with regard to a naval station in the bay of Chimbote, I am of the opinion that although it is a desirable arrangement, the time is not opportune.

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Having thus stated with frankness the impression made upon the Department by such information as you have furnished it, it becomes my duty to add that this Government is unable to understand the abolition of the Calderon Government, and the arrest of President Calderon himself, by the Chilian authorities,—or I suppose I ought to say by the Chilian Government,—as the Secretary for Foreign Affairs of that Government has in a formal communication to Mr. Kilpatrick declared that the Calderon Government “was at an end.” As we recognized that Government in supposed conformity with the wishes of Chili, and as no reason for its destruction has been given us, you will still consider yourself accredited to it, if any legitimate representative exists in the place of President Calderon.\*

With General Kilpatrick, for his informal but well-meaning efforts to keep down the excitement wrought in Chili by General Hurlbut's excesses, he was much harsher: —

Your letter is not approved by the Department. You had had ample opportunity, and, as you have before stated, availed yourself of it, to make known to the Government of Chili the scope of your instructions, and to give it abundant assurance of the friendly feeling of your own Government.

If the conduct of Mr. Hurlbut in Peru had given sufficient ground of complaint to the Chilian Government, that complaint should have been made in Washington. Mr. Hurlbut's presentation speech to President Cal-

deron, his memorandum to Admiral Lynch, his letter to Garcia, and telegraphic reports from Buenos Ayres, were not subjects upon which you were called to pass judgment, nor upon which you should have been interrogated by the Chilian Government. Nothing in your conduct or language had excited its apprehensions, and no explanation was due, or could have been expected from you, of the language or conduct of your colleague in Peru. I should have been glad if it had occurred to you to call the attention of the Secretary for Foreign Affairs to the impropriety of such a communication; and in referring to the fact that your instructions, which you were authorized to communicate to him, gave all the assurance which he could either desire or ask, of the friendly disposition of the United States, I should have much preferred that you had furnished him with a copy of those instructions instead of submitting a paraphrase which does not fully represent their spirit and meaning.\*

General Kilpatrick had been very ill for a long time, and was dead before this dispatch arrived in Chili. The difference in tone of the two dispatches shows very clearly what was the feeling of Mr. Blaine himself. The inference from certain passages in both dispatches is, that the Chilian Government had made no direct representation about General Hurlbut's conduct, through its representative at Washington. Now, the dispatch to General Kilpatrick was written on November 22d, the same day as that to General Hurlbut. Almost a month before, on October 24th, Señor Martinez, the Chilian Minister at Washington, wrote to Mr. Blaine inclosing certain newspaper articles and reports, "which," he said, "will let you know the political course which Minister Hurlbut is pursuing in Peru."† On October 27th he wrote again and inclosed a confidential dispatch, dated September 12th, from the Chilian Minister of Foreign Affairs to himself. The delay in communicating with the Government in Washington was probably the only reason why an appeal was ever made by the Chilian Government to General Kilpatrick. To show that, in spite of Mr. Blaine's disingenuous allusions, that Government did take the proper method of addressing the Government of the United States, and did so with perfect frankness, we give full extracts from the dispatch, just as it came into the hands of Mr. Blaine:—

By dispatches which were in due season addressed to you by Don Joaquin Godoy, from Lima, you will have been informed of the very uncircumspect conduct of the Minister of the United States recently accredited to the Provisional Government of Señor Garcia Calderon.

From the time of his arrival at Lima, Mr. Hurlbut has omitted no signs of decided partiality in favor of Peru, giving it to be understood that the

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\* Senate Ex. Doc. No. 79, 47th Congress, First Session, p. 168.

† *Id.*, p. 164.

Government of the United States would resist any arrangement which Chili might endeavor to effect with that republic, and which might involve the cession of any part of its territory.

These ideas, which obtained a footing among the public men of Peru, acquired still greater persistence after the address delivered by the American Minister on the public occasion of presenting his credentials to the Provisional President. From that moment Mr. Garcia Calderon, the members of his Cabinet, and all persons who had any influence whatever upon the public opinion, deemed themselves encouraged by the words and demonstrations of the representative of the United States, believing that they saw therein the expression of the policy which the Cabinet at Washington proposed to adopt.

Our plenipotentiary, Mr. Godoy, carefully observed the reaction which was brought about in the Peruvian mind by the conduct of Mr. Hurlbut. To the negotiations which have been initiated in a conciliatory and accommodating spirit before the arrival of the American Minister, there succeeded after his arrival a sudden and unlooked-for change, the explanation of which can only be attributed to the influence, directly or indirectly, produced by the attitude of the representative of the United States. In this state of affairs our plenipotentiary deemed it proper to suspend the negotiations already set on foot, and went to Chili to confer with my Government.

Being desirous of inquiring if the conduct of Mr. Hurlbut responded to a political plan of his Government, I held a conference with Mr. Kilpatrick, who expressed himself dissatisfied with the manner in which his colleague in Lima had begun his diplomatic mission. Mr. Kilpatrick did not hesitate to affirm that Mr. Hurlbut did not faithfully represent the policy of abstention and neutrality of his Government.

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It is not possible to ignore the fact that the presence of Mr. Hurlbut in Lima has been in a high degree prejudicial to the conclusion of arrangements for peace. I have ground to believe that he continues to place at the service of the purposes of the Provisional Government all the influence which can be given by the representative character he holds.

As late as yesterday I learned, in a confidential way, but one entirely trustworthy, that he has sent a telegram to Mr. Kilpatrick, in Santiago, begging him to forward it to his colleague at Buenos Ayres. In this telegram Mr. Hurlbut seconded, doubtless, the plans of Mr. Garcia Calderon, and asks his colleague in Buenos Ayres that he should represent to the Argentine Cabinet the urgent necessity of accrediting, without loss of time, a representative at Lima. There are no reasons to think that the Government of Señor Garcia Calderon would welcome the presence of an Argentine minister in Peru, in order to seek therefrom mild or effective aid against us.

These considerations, to which you will give all the importance which they themselves possess, induce me to charge you to endeavor to see the Secretary of State, in order to let him see, in a confidential and delicate way, the manner in which Mr. Hurlbut is interpreting his policy in Peru. You will endeavor, also, with the greatest discretion, to *obtain from the American Government some act or declaration which will tend to destroy the bad impression caused by the conduct of their representative in Lima*,\* to avoid

in future that he shall continue to create difficulties foreign to his official character, and contrary to the ever friendly and loyal policy of the United States.\*

### MR. BLAINE'S RESPONSIBILITY FOR GENERAL HURLBUT'S PROCEEDINGS.

Our examination now brings us to a very important question: What is the extent of Mr. Blaine's responsibility for General Hurlbut's actions in Peru? There is a wonderful similarity between the method of General Hurlbut toward Chili and that of Mr. Blaine toward other countries. With Mexico, with Colombia, with England, Mr. Blaine had acted as we might very easily imagine Hurlbut would have acted if he had been Secretary of State instead of Mr. Blaine. Both men impress us as being guerillas in diplomacy. They belong to no school, and follow no rule or principle. One of the strongest impressions derived from General Hurlbut's dispatches is, that the writer believed himself to be standing on very solid ground. He had "personal" conversations with Mr. Blaine before he left this country, which influenced his course, and he was astonished even by the mild disapproval of November 22d. Of this there is positive evidence. In his examination before the Chili-Peruvian Investigation Committee, Mr. Wm. Henry Hurlbut, the editor of the *New York World*, produced a letter from his brother, General Hurlbut, from which the following is an extract:—

"My personal talk with Blaine and Garfield will not appear in any official correspondence, but it was the motive for my action. I think they will throw me overboard unless Congress backs up the American line I have taken. Personally I care little about it, but I must say that in Blaine's letter of 22d November to me, there is a manifest disposition to hedge." †

Mr. W. H. Hurlbut also testified that he saw Mr. Blaine on several occasions in reference to the policy of the Government in Peru and its relations with his brother; that he conversed with him "more than once" between September 27th—the date of the receipt of the dispatch containing the Lynch Memorandum—and November 22d, the date of the dispatch of disapproval, and Mr. Blaine had given him "not the slightest reason to suppose that he disapproved of the course of the Government in Peru during that interval."

Apart from this positive evidence,—the negative evidence,—the evidence of Mr. Blaine's masterly inactivity is decisive. Toward the latter part of December, General Hurlbut received Mr. Blaine's

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\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 166.

† *Id.*, p. 181.

dispatch of November 22d, and in his reply, dated December 22d, he said:—

“I have also tried to show that the dignity of the United States and its legitimate influence demanded a temperate but firm operation of certain great principles of international law which apply, and ought to apply, to such cases on this continent, and which have been officially recognized by Chili in the beginning of this war. To the repeated statements so made by me to the Department, in all of which I asked speedy answer, I have received none until the dispatch No. 19,\* except telegraphic instructions to continue to support the Calderon Government; which instructions I considered tacitly approved.”†

General Hurlbut sent his first dispatch from Lima on August 10th, and from that time forth he kept Mr. Blaine informed of his official acts at intervals of not more than four or five days. On September 22d, Mr. Blaine heard from General Kilpatrick that “Hurlbut’s proceedings will not only create bad feeling here in Chili, but compromise my action.”‡ On September 27th he received from General Hurlbut the dispatch inclosing the memorandum to Admiral Lynch. In this dispatch General Hurlbut said, “I am confident you will approve the substance of the memorandum, and I would like General Kilpatrick to be instructed to express similar views in case of opportunity given.”

By the end of September, therefore, Mr. Blaine was fully and accurately informed of all the details of General Hurlbut’s behavior. More than that, the Secretary saw that the latter was acting in accordance with what he believed to be the wishes of the State Department. Then was the time for a stern and speedy reprimand. Not until November 22d, almost two months after, did Mr. Blaine express the slightest disapproval of what he afterward called General Hurlbut’s “mere indiscretions.” He had found time on October 27th to send a telegram about the Crédit Industriel, on August 4th, on October 17th, and 19th, to give elaborate instructions about the Landreau and Cochet claims, but during the whole period from June 15th, the date of his first instructions to General Hurlbut, to November 22d, he communicated with him only once in regard to the general policy of the Government. This was in the telegram of October 31st, which instructed him to continue to recognize the Calderon Government, even after its abolition by Chili, and was, therefore, a virtual approval of his conduct up to that time.

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\* The dispatch of November 22d.

† Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 592

‡ *Id.*, p. 162.

We are therefore forced to one of two conclusions: either that Mr. Blaine directly encouraged General Hurlbut in his outrages upon Chili, or that he was so neglectful of the duties of his office as to make those outrages practically his own.

Between June 15th and November 22d (as above mentioned), Mr. Blaine communicated with General Hurlbut once about the general policy of the Government, and four times about certain private enterprises. This ratio of four to one shows that these schemes must have occupied a large share of Mr. Blaine's attention during a very critical period of South American affairs. We have reviewed the policy of the Government down to the time of the special mission of Mr. Trescot. Before going further, we shall devote to these financial schemes a portion of the attention that they evidently deserve.

### THE CRÉDIT INDUSTRIEL.

One legitimate enterprise was organized and two dead claims resuscitated by the prostration of Peru. These were the Crédit Industriel and the Cochet and Landreau claims. The Crédit Industriel was a French Company, which represented Peruvian bondholders in France, Belgium, and Holland to the extent of about seventy-five million of dollars. This Company, in 1880, entered into a contract with Peru by which it was to have a monopoly of the shipment of nitrates and guano, to pay a war indemnity to Chili, to pay the bondholders, and to reserve a certain per cent of the proceeds for compensation. It was a sound business undertaking, backed by abundant capital. As it was known that the Government of the United States looked with disfavor upon any European intervention for the settlement of the difficulties between the two countries, the representatives of the Company appealed to this Government for its mediation. They submitted their prospectus, or "programme," as they called it, to Mr. Evarts, who was Secretary of State when the contract was made. He considered the aims of the Company to be very advantageous to Peru, and on February 17, 1881, authorized Mr. Christianey to submit the plan to the Peruvian Government for discussion in connection with the question of peace.

Mr. Blaine became Secretary of State in March, and, as the Crédit Industriel was opposed to a cession of territory by Peru, was willing to pay a war indemnity to Chili, and had been precluded from looking to any foreign government for mediation by the action of the United States, it would seem not improbable that Mr. Blaine might follow his predecessor in giving it his favorable consideration.

On this point there is a question of veracity between Mr. Blaine and Mr. Robert E. Randall, the counsel for the Crédit Industriel in this country. Mr. Randall testifies that Mr. Blaine gave him to understand that the propositions of the Company were "entirely satisfactory;" that they "were feasible in every way;" and "that the United States would carry them out so far as it was proper in their negotiations in South America; that is, they would utilize the programme;" that Mr. Blaine approved of his going to Europe about the matter; that he went to Europe on June 9th; that on his return Mr. Elmore, the Peruvian Minister, wrote to him that Mr. Blaine had inquired why Mr. Randall had not called upon him; that he then called upon Mr. Blaine, and had interviews with him on November 23d, 27th, 28th, 30th, and December 1st, 9th, and 11th, and that he (Randall) "had the impression that the programme was looked on with favor at all those interviews." \*

Mr. Randall says that after the publication of Mr. Blaine's dispatches he was very much surprised to find that on October 27th Mr. Blaine sent to General Hurlbut this telegram:—

Influence of your position must not be used in aid of Crédit Industriel or any other financial or speculative association. †

And also to find that, on Aug. 4, he had sent instructions concerning the Landreau and Cochet claims, which were directly in conflict with the Crédit Industriel. Mr. Blaine, on the other hand, testifies that he considered it "the most extraordinary proposition in the world," that "there was a neat little job coiled up right there;" and that the matter was one which he (Mr. Blaine) "utterly refused to have anything whatever to do with." ‡ But let him speak for himself:—

I never had a conversation with Mr. Robert E. Randall that, by intimation or insinuation, or any kind of hint or innuendo, even approached the confines of approving it. § \* \* \* The only conversation—the only special one that I remember—was prior to his going to Europe, which must have been some time in the summer—I think, possibly in June, but I will not pretend to locate it. I did not regard it as of the slightest importance. || \* \* \* I do not remember any interview at all more than the most casual form of every-day

\* House Report, No. 1790, 47th Congress, First Session, pp. 326, 327.

† Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 545.

‡ House Report, No. 1790, 47th Congress, First Session, pp. 344, 345.

§ *Id.*, p. 345.

|| *Id.*, p. 346.

politeness. I never had any interview with him of any consequence at all.\* My idea was this: they were perfectly frank, and I am not in the least degree charging anything dishonorable upon them. On the contrary, I think their association is one of great strength and character. They were perfectly frank in wanting the great power of the United States behind them, to pull the chestnuts out of the fire for the benefit of England, France, Holland, and Belgium; and the United States, so far as I had any power in administering its Government, did not propose to use its power in that way.†

Mr. Blaine is very positive, but the evidence in rebuttal is very strong. In the first instructions of Mr. Blaine to General Hurlbut, those of June 15th, is the following passage:—

As you are aware, more than one proposition has been submitted to the consideration of this Government looking to a friendly intervention by which Peru might be enabled to meet the conditions which would probably be imposed. Circumstances do not seem at present opportune for such action; but if upon full knowledge of the condition of Peru, you can inform this Government that Peru can devise and carry into practical effect a plan by which all the reasonable conditions of Chili can be met without sacrificing the integrity of Peruvian territory, the Government of the United States would be willing to offer its good offices toward the execution of such a project. †

Now, in Mr. Blaine's examination before the committee of the House of Representatives, to which reference has been made, he answers certain questions as follows:—

*Mr. Belmont.* "As you are aware, more than one proposition has been submitted to the consideration of this Government, looking to a friendly intervention by which Peru might be enabled to meet the conditions which would probably be imposed." Now, what proposition?

*The Witness.* Oh, the Crédit Industriel.

*Q.* Well, what other one? — *A.* None.

*Q.* Well, why did you say more than one? — *A.* Oh, they submitted several.

*Q.* They submitted several? — *A.* Yes, several different forms.

*Q.* And this refers only to the Crédit Industriel? — *A.* Yes; this is the only one I had any knowledge of at all. §

And in the examination of Mr. Trescot, who was, as will be seen later, sent by Mr. Blaine on a special mission to Chili, Peru, and Bolivia, we find this:—

*Mr. Belmont.* The purpose of my question was to get at the meaning of the instructions of June 15th. I did not so much care to have the private correspondence between you and Mr. Randall; but I would like to know whether the plan of the Crédit Industriel to furnish an indemnity to Chili, and to prevent the cession of Tarapacá, was intended in the instructions of June 15th.

\* House Report, No. 1790, 47th Congress, First Session, p. 348.

† *Id.*, p. 351.

† Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 501.

§ House Report, No. 1790, 47th Congress, First Session, p. 226.

*The Witness.* I should think so, unquestionably, to this extent, that those instructions were written with a knowledge that the Crédit Industriel had proposed some plan, or two or three plans, and that if the Crédit Industriel could furnish an indemnity to Peru whenever the time came that Peru was allowed to negotiate for an indemnity, that then it would be a matter of very great interest to know what she could do. As I would have understood the instructions if written to me, and as I understood the extent of my privilege in dealing with these Governments there, I would, without hesitation, have urged upon Chili the adoption of any reasonable plan that the Crédit Industriel had offered; but if that plan had gone further, and required the United States to guarantee any plan they suggested, I would have considered I could go no further, and would have been bound to submit such a plan to the Department for its examination and decision. But so far as urging upon the Chilian Government, if I had an opportunity, the adoption of the offer of the Crédit Industriel to furnish the money to pay the indemnity, I would not have hesitated to do it; I would have urged it upon them.

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Q. Do you understand that there was any other plan proposed by which peace could be brought about between Chili and Peru, and an indemnity paid under the good offices of the United States?—A. I never understood that there was any other plan by which the money could be furnished, except some plan could be devised by the Crédit Industriel, when it came to consider the matter.

Q. And you understood that the instruction of June 15th did embrace the Crédit Industriel?—A. Unquestionably; I have no doubt about that, as a Minister, reading that dispatch.\*

Mr. Treseot is good authority as to the meaning of the instructions of June 15th, because, from other portions of his evidence, the natural inference is that he drafted them himself.

As to the instructions given to him by Mr. Blaine at the time of the special mission, Mr. Treseot says:—

I will state that I understood the policy of the State Department toward the Crédit Industriel to be this: that if that company could furnish the money to Peru to pay an indemnity that would satisfy Chili, it would be a source of gratification to the Department, and of course would facilitate its negotiations very much; but that that support was to go no further than a friendly attitude toward it; that if the plan submitted by the Crédit Industriel required the guarantee of the United States or a protectorate over Peru, or anything of that kind, the whole matter must be referred back to the Department for consideration and decision, with an indication (very strong, I think, in his instruction) that the Secretary did not approve of such a final result or approve of assuming such a responsibility. But I was not authorized to do anything further than to report to the Department what the conditions and the details were of the plan that was proposed.

Q. With that qualification on the part of the Department, I understand you to say that the Department had a friendly disposition toward the Crédit Industriel, and encouraged it, subject to that qualification.—A. I

would have felt in my position that I was bound to give it any encouragement and help that I could, subject to that limitation.\*

This evidence serves to show that the State Department did feel some interest in the Crédit Industriel. For the purpose of securing corroboration to his testimony, Mr. Randall addressed a number of interrogatories to Mr. Elmore, the Peruvian Minister, and in every instance Mr. Randall is confirmed by Mr. Elmore. The latter says:—

I subsequently saw Mr. Blaine frequently in your company, by appointment and otherwise, and it would be difficult to find a man more uniformly cordial in his manner and attentive to business than Mr. Blaine was in all our interviews, without exception. I always understood that you were present, and acted on behalf of the Crédit Industriel. We discussed solely the Chili-Peruvian question, and the means to secure an honorable peace that would be lasting between the belligerent republics. Secretary Blaine always recognized that this could be obtained only by the intervention of the United States, and showed that he was ready and willing to act. I always understood from him that the Crédit Industriel programme was approved of by him, as offering Peru the only means to pay a war indemnity, and preserve at the same time her territorial integrity; and I understood Mr. Blaine that he expected it would be necessary to utilize that programme.†

On various occasions when I saw Mr. Blaine alone, after my return from Europe on 19th August last, and before your return on 6th November, he always very kindly asked about you, and after your arrival in New York, he asked me why you did not come to Washington to see him. I recollect, as I was myself desirous to see you, that I stated in one of my notes to you Mr. Blaine's wish, and begged that you would lose no time in coming to give the Secretary the result of your conferences with the French parties representing the Crédit Industriel programme.‡

Mr. Elmore also brings out this episode:—

I remember the incident you refer to. It was very interesting, and took place in one of our early interviews with Secretary Blaine, at the State Department.

After discussing the subject of the intervention of the United States, and the chances of securing peace, the question arose, What would the United States do in case Chili would refuse to take an indemnity, as she had intimated she was willing to do, and should nakedly insist on retaining the Peruvian province of Tarapacá in defiance of the wishes of the United States? Would the United States submit? While we were discussing this question, Mr. Blaine, quietly, without our knowledge, must have sent a messenger to the Navy Department. In a little while a memorandum was brought in and handed to him, which, after he had read it, he handed to you, and which you with his permission read aloud. It stated the number of war vessels which the United States had then in the Pacific—I believe

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\* House Report, No. 1790, 47th Congress, First Session, p. 383.

† *Id.*, p. 376.

‡ *Id.*, p. 378.

there were five. You at once said to the Secretary, "This is too small a naval force for any demonstration against Chili." The Secretary replied to you, in substance, that the force did not signify; they were quite sufficient to make Chili understand what she might expect.\*

This is Mr. Blaine's explanation of the incident:—

The incident related by Mr. Randall and Mr. Elmore about my sending to the Navy Department to get an estimate of our naval strength in the South Pacific, with the apparent intention of some warlike demonstration, is very amusing. It needs little comment beyond the following statement:

JULY 18, 1882.

"In May last, after General Hurlbut was confirmed as Minister to Peru, he requested that a naval vessel might be detailed to convey him from Panama to Callao. As private secretary to the Secretary of State at the time, I went to the Navy Department to get a list of the naval vessels in the South Pacific squadron, with their respective locations, with the view of ascertaining the probable time of a vessel being at Panama.

"That occasion, and the subsequent one, when a naval vessel was asked to convey Mr. Treseot from Panama to Valparaiso, were the only times when I heard of our naval strength in the South Pacific being discussed or in any way referred to in the Department of State.

WALKER BLAINE."

When the list was brought to me, Mr. Randall and Mr. Elmore were in the department, and some remarks were made in an amusing vein about our great naval strength on the South Pacific coast, contrasting it with the seven English iron-clads then on the same station. The fertile imagination and defective memory of Mr. Randall and Mr. Elmore have invested the incident with a significance for which there was never the slightest justification.†

And this is Mr. Randall's retort:—

Mr. Blaine, it will be seen, admits that at an interview with myself and Mr. Elmore he exhibited to us a list of the naval force of the United States in the South Pacific, which he sent for to the Navy Department, and that we commented together upon it in connection with the strength of "the seven English iron-clads then on the same station." But he now gives it to be understood that his object in sending for the list was to ascertain at what time a United States man-of-war would probably be at Panama to convey the American Minister, General Hurlbut, to Callao. It might be pertinent, were Mr. Blaine under a cross-examination, to inquire why the Secretary of State should have discussed with the Peruvian Minister and the attorney of the Crédit Industriel of France the question of sending an American Minister to Peru in a man-of-war, if he was not holding "confidential" relations with them. It might be pertinent, also, to inquire, in that case, why the Secretary of State should have gone into a contrast of our squadron with the "seven English iron-clads," if no question of a possible collision of policy and interests between the English and the American Governments on issues

\* House Report, No. 1790, 47th Congress, First Session, p. 377.

† *Id.*, p. 381.

arising in South America had been raised between himself and his interlocutors. But in vindication of my own version of an incident which Mr. Blaine, while in one breath he calls it "imaginary," in the next breath admits to have occurred precisely as it was stated in my sworn testimony to have occurred, it is sufficient for me now to call the attention of your honorable committee to the fact that the interview referred to took place in April, 1881, some time before General Hurlbut had been named as Minister to Peru, and at least seven months before the idea of sending Mr. Trescot to South America was so much as dreamed of.\*

It is quite clear that Mr. Blaine's contemptuous dismissal of the Crédit Industriel on the witness-stand, was hardly warranted by his actions toward the company while Secretary of State. His instructions of June 15th to General Hurlbut, show that at first he regarded the project as worthy of the "good offices" of this Government. This is hardly a refusal "to touch it, or to think of touching it," even if he did regard it as a "neat little job coiled up right there."† His own explanation of the man-of-war incident does not help the matter at all. It either shows that he was on very confidential terms with Mr. Elmore and Mr. Randall, and that at one interview, at least, there was something more "than the most casual form of every-day politeness;" or that he was in the habit of jesting on serious subjects, and bandying the secrets of the State Department in a very free and easy way. It would have been more creditable for him to admit, as the evidence shows, that he first looked upon the Crédit Industriel with some favor; that he afterward modified his views, but did not take the trouble, or was too courteous, to inform the representatives of the company of the change. What produced this change may appear from the examination of his attitude in respect to the Landreau and Cochet claims.

#### THE COCHET CLAIM.

Alexander Cochet was born a Frenchman, and remained a French subject until his death. It was claimed that in 1840 he had discovered the fertilizing properties of guano, and that under a law of Peru, of 1833, which provided that any one who "should discover property belonging to the State, shall have a right to one-third part of such property," he had become entitled to one-third part of all the guano in Peru. Cochet died in Paris, in 1854, leaving an illegitimate son. From this son it was alleged that the claim had come, by assignment, into the possession of a company which represented itself as organized under the name of the Peruvian Company, in accordance with a

\* House Report, No. 1790, 47th Congress, First Session, p. 384.

† *Id.*, p. 345.

charter granted by the State of Georgia. This company was the product of the ingenuity of one Jacob R. Shipherd, and like the Crédit Industriel, proposed to take possession of the guano beds, and pay a war indemnity to the Chilians; but, unlike the French company, it was sustained by no one of wealth or respectability, and its sole capital was this claim of a foreigner, which had been rejected by the Peruvian Government, and in which the United States could have no right nor interest. Mr. Shipherd composed the whole corporation, and in his prospectus he estimated the value of the claim, with interest, at the handsome sum of \$1,000,000,000.

In the review of his negotiations with our Government for aid in the enforcement of his claim, Mr. Shipherd's own testimony, where it is not corroborated by the words or acts of others, will be rejected. He has too much the appearance of a man who has long since lost whatever conception of truth he may have once had. After the omission of his evidence, it still appears that this unknown and visionary adventurer, with a fraudulent claim for a fabulous amount, found no difficulty in securing the aid of a Senator of the United States, and a hospitable reception by the Department of State. Senator Blair, of New Hampshire, without the hope of reward, but from his sympathy with Peru, and his "view of the international importance of her rescue,"\* became the friend and supporter of the Peruvian Company, and on July 25th introduced Mr. Shipherd to the Secretary of State. On July 26th the Secretary, the Senator, and Mr. Shipherd discussed the whole matter in a very friendly interview, of which Senator Blair, in his testimony, gives the following account:—

The substance of it was a discussion, and a pretty thorough discussion, of the Cochet claim, in which Mr. Shipherd explained his views in regard to it, and stated the views of his counsel, Governor Boutwell, who had examined the matter. Mr. Blaine made the point that it was a claim originating between the Peruvian Government and a French citizen, and that upon Mr. Shipherd's own statement of it, it came through a French citizen to a Peruvian, and his assignment was from a Peruvian; so that, as Mr. Blaine claimed, Mr. Shipherd, or those who were interested with him, could have no rights that the Peruvian would not have in the same claim, and that the Peruvian could have no rights to American protection or countenance, in any regard whatever. Upon that point I remember that Mr. Walker Blaine joined in the discussion, sustaining the view which his father took. Mr. Shipherd controverted that, and also placed his claim principally upon the ground that the title was not to a right in action, but it was to actual property, and to a

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\* House Report, No. 1790, 47th Congress, First Session, p. 293.

portion of the soil of Peru,—the real estate of Peru,—and standing upon that ground, and that his rights (and I think Mr. Blaine substantially seemed to concede that, if that were the case) were practically the same as though they had originated between Peru and an American citizen. † † † As the result of that interview I think Mr. Blaine explained the instructions; I think he explained them verbally, and I do not know but he read to us from them. I will not say in regard to that at this time, but I think he communicated to us the instructions he had given to General Hurlbut and to General Kilpatrick, which instructions were all Mr. Shipherd, as he expressed himself, had any desire for whatever.\*

Mr. Shipherd also represented himself as interested in the Landreau claim, and as a further result of this interview Mr. Blaine, on August 4th, sent instructions to Gen. Hurlbut about both the Cochet and Landreau claims. The instructions relative to the Cochet claim were as follows:—

The two claims for which special consideration and active intervention have been asked, are those known as the Cochet claim and the Landreau claim. In reference to the Cochet claim there has been no information laid before the Department of a sufficiently definite character to warrant a specific instruction, and in the absence of the requisite data here you will be left to take such steps as may seem expedient on investigating the origin and character of the claim. The primal point at issue is, whether any American citizen or association of citizens has acquired an interest in the claim in a manner entitling him or them to the good offices of this Government in making any representation to Peru. As the American holders of the claim, or their attorneys, will be on the ground, you will no doubt be placed in possession of all the facts, but you will take no step committing your Government to the use of its good offices without first reporting in full to the Department for well-considered and definite instruction.†

In the course of three months, however, Mr. Blaine discovered, what was evident at a glance, that the Cochet claim was too worthless for presentation; and on November 17th he wrote to Gen. Hurlbut:—

After the instruction in my No. 7 in regard to this subject had been mailed, I became convinced that there was no need of even the preliminary inquiry which I suggested in regard to the Cochet claim. There is no just ground whatever on which this Government could intervene on behalf of it. In so far as there may be any basis for the claim at all, it originates in the demand of a native Peruvian against his Government. If American citizens purchased an interest in such claim, they purchased nothing more than the original claimant possessed. They did not and could not purchase the good offices of this Government, and you are instructed not to extend them in the case of the Cochet claim.

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\* House Report, No. 1790, 47th Congress, First Session, p. 257.

† Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 509.

The statements which you say were made to you by Mr. Jacob R. Shipherd are very extraordinary. It is in the first place extraordinary that he should have written to you at all, for I carefully advised him that Ministers of the United States in foreign countries were not permitted to extend their good offices in aid of any claim unless so instructed by the Department of State. I repeatedly told him that any representations on behalf of the claims he was urging must be made at Lima, by his own agents. His writing you was therefore an impropriety, and his attempting to instruct you as to what I had written you was as grotesquely absurd as the language he attributes to me. He simply makes the mistake common to a certain class of honest enthusiasts who imagine that the polite and patient listener is the author of their own extravagant fancies. I recognize several of the singular propositions imputed to me as having been made by Mr. Shipherd, and not in any sense admitted or assented to by me. I told him in the three or four interviews which he sought with me that I could see no possible ground on which the United States Government could lend its good offices in aid of the Cochet claim. You will therefore pay no attention whatever to anything Mr. Shipherd may write you in regard to claims against the Government of Peru.\*

Even at this time Mr. Shipherd was still an "honest enthusiast," and in another dispatch to Gen. Hurlbut, on November 19th, the Peruvian Company was mentioned as an "American organization, composed of reputable citizens;" but on December 5th Mr. Blaine awoke to a realization of Shipherd's true character, and wrote to him in the sternest of terms, striking him from the list of attorneys in any case before the State Department, and threatened to have him prosecuted for making "an improper and unlawful proposition" to Gen. Hurlbut.†

About Shipherd and his bubble company there is a certain Oriental splendor. That tales of wealth rivaling those of the "Arabian Nights," and fashioned by the imagination of an obscure adventurer, should have received for a single moment the serious attention of the State Department, is illustrative alike of Mr. Blaine's credulity and his eagerness to listen to any project, however fantastic, which might be used as a weapon against Chili. For, in spite of Shipherd's trenchant dismissal, after a period of four months there is every probability that Mr. Blaine looked with favor upon the Peruvian Company, as he looked at one time upon the Crédit Industriel. According to his own statements, he had interviews with Shipherd on July 25th and 26th, October 15th, and November 3d. The claims dispatch of August 4th was the result of the interview of July 25th and 26th; and the telegram of October 1st to Gen. Hurlbut, warning

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\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 562.

† *Id.*, p. 683.

him against using his influence in favor of the Crédit Industriel, was without doubt sent in consequence of the false assertion made by Shipherd that Gen. Hurlbut was exerting himself in favor of that Company. All of Shipherd's letters, papers, and prospectuses in regard to the Cochet claim were received and filed in the Department of State some time in October. Senator Blair wrote to Shipherd as follows:—

I can only now assure you that the United States will utter her voice in a manner which will mark an era in American diplomacy. The matter is being prepared, and within a week or two you will know what is done. You should act at once as though the American ships of war were on the way to the Pacific coast. Perfect your plans. Everything here has been just as you have wanted it all the time. The policy of the Government has been exactly right, and is now. Any man who proposes to take part in your project should now take hold in earnest.\*

And from the time of his first interview with Mr. Blaine down to the time when he was finally disowned, on December 5th, the acts of Shipherd himself afford unconscious but powerful evidence that he was not without substantial encouragement at home. His letters to Gen. Hurlbut are not those of a disappointed man; they are voluminous, sanguine, and full of assurances of the assistance that he will have from the Government of the United States.

Neither the Crédit Industriel nor the Peruvian Company were adapted for interposition by the United States between Peru and her conqueror; the former because it was not an American company, the latter because it was finally discovered to be utterly baseless and fraudulent; and hence Mr. Blaine's rejection of them both. With these two financial schemes he merely coquettish, but for the third and last, the Landreau Claim, he conceived a lasting affection.

#### THE LANDREAU CLAIM.

Jean Théophile Landreau, a citizen of France, claimed to have discovered deposits of nitrate and guano in Peru to the value of \$400,000,000. He had pursued his investigations secretly, but after his alleged discoveries he offered to sell the results to the Peruvian Government. A contract was made in 1865, with the stipulation annexed that he should renounce all diplomatic intervention, "it being an expressed condition that should he ever employ such means, that sole fact will destroy the effect of this resolution, and he

will be unable to claim any premium whatsoever.”\* This contract the Executive Department repudiated, because “the premium stipulated to be accorded to him is of such great amount that it can never be given by the Government,” and “it is hereby decreed that, as a basis for a new contract, said new guano deposits shall be examined by a special commission appointed for the purpose.”† This was considered by Landreau as a denial of justice; and while there is no evidence that the Peruvian Government refused to pay what it considered a fair price for his services, the parties could not agree upon the terms of a new contract. Landreau then appealed to the legislature and the courts: the former refused to pass judgment on the Executive; the latter decided that they had no jurisdiction. He then turned to his own Government (France), which declined to interfere. Fortunately, however, for his hopes of foreign intervention, he had a brother, John C. Landreau, who claimed to be a naturalized citizen of the United States, and who asserted that he had an interest in the investigations of Théophile Landreau. In proof of the allegations of such interest, he produced certain letters from his brother, of which only two are of any importance. In the first, dated July 15, 1859, Théophile says:—

“For my part I accept you as my partner in this business, as well as the advice you give regarding it, and at the same time wait with great impatience the receipt of the five thousand dollars which you say shall be sent to me.”

And in the second, dated January 2, 1860, he acknowledges the receipt of \$6,250.

These facts were brought to the attention of our State Department as early as 1871, and on March 9th of that year Mr. Fish wrote to Mr. Brent, the *Chargé d’Affaires* of the American legation in Peru, inclosing a letter from J. C. Landreau, which complained of the action of the Peruvian Government. Mr. Brent made an inquiry into the matter, and reported adversely. The claim, however, was pressed, and in June, 1874, Mr. Henry O’Connor, one of the Government counsel engaged in the Bureau of Claims, gave a favorable opinion upon it. On the strength of this opinion Mr. Fish, on July 28, 1874, wrote to Mr. Thomas, the American Minister to Peru, that he could use his “good offices unofficially;” and again, on November 5th of the same year, that it being merely an implied contract, the Department did not regard such questions of an international character, and

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\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 655.

† *Id.*, p. 656.

that his course must be limited to unofficial good offices. The claim then remained quiescent until the House of Representatives, in February, 1880, passed a joint resolution that the "President be requested to take such steps as in his opinion may seem proper to secure an adjustment of the claim of John C. Landreau, and if, in his opinion, it is proper to do so, the President invite the Government of France to co-operate with the United States in his behalf." This resolution was lost in the Senate.

Such was the history of the claim to the time of the Garfield administration, and the natural feeling is one of amazement that our Government should have given it any attention, and that a lawyer should have given a favorable opinion in regard to it. John C. Landreau could only appeal to the Government of the United States on the ground that he was a citizen of the United States at the time his interest in the claim occurred, and that the claim was in his own behalf against Peru. He was not naturalized until 1867, and therefore during the investigations of his brother, and at the date of the contract with Peru, he was still a citizen of France. Except on the theory of a partnership, the claim of John C. Landreau could not be against the Peruvian Government. There is no evidence of a partnership, nothing to show that there was any agreement between the two brothers to share profits and losses, or that the money sent by John C. Landreau to Théophile was on account of any agreement. In the contract between the Peruvian Government and J. Théophile Landreau there is no mention of the name of John C. Landreau.

The consideration for this contract on the part of Théophile Landreau was the delivery to the Peruvian Government of a list of the discoveries which he had made himself. When this contract was executed by the delivery of this list, how could there be any privity or connection between John C. Landreau and Peru, or direct claim obtained by the latter against the Government of that country? If John C. Landreau had any claim, it was against his brother for the money advanced. The only partnership that seems to have existed between these Landreau brothers, was for the purpose of obtaining a recognition of the claim from the Peruvian Government through the intervention of the United States — a partnership in which Théophile contributed the claim as his share of the capital, and John his citizenship.

As the claims dispatch of August 4th to General Hurlbut was the result of the interviews of July 25th and 26th with Shipherd and Blair, the inference is that the representations of Shipherd first drew Mr. Blaine's attention to the existence and character of the Landreau

claim, which occupied a large portion of that dispatch. According to the following testimony, however, he interested himself in its success without a suggestion from any one interested:—

*Q.* Who, if any one, presented to you the claim of J. C. Landreau against Peru?—*A.* It was presented by the Congress of the United States, by the unanimous recommendation of this committee, and by a vote of the House of Representatives.

*Q.* Then it was presented by no person?—*A.* No, sir; it was not lobbied at all by anybody; it had no big company to back it. There had been a regular attorney for it, and it was a matter which the Congress of the United States had deemed of sufficient importance to call the attention of the Secretary of State to.

*Q.* Then there was no attorney who presented the claim to the Department?—*A.* Mr. Christy had been the attorney here—a modest gentleman who stood as the representative of it.

*Q.* Did he present it?—*A.* No, sir; not to me, personally.

*Q.* He did not?—*A.* No, sir.

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*Q.* I ask you, did you make any personal examination of it?—*A.* No, sir; I took that as *res adjudicata*; I took the opinion of the law officer of the State Department\* and the opinion of the House of Representatives of the United States; I made no examination besides that. †

This application of *res adjudicata* is extraordinary. The government of France had refused to interfere, although the real claimant was a French citizen; the House of Representatives had declared it worthy of inquiry, but the Senate had tabled the resolution; the Department of State had shown no desire to enforce it. Mr. Blaine, however, of his own accord, began to agitate it, and, as is shown by the following passage from his dispatch of August 4th, he did so in a manner that contrasted strangely with the mild and perfunctory suggestions of Mr. Fish:—

In regard to the Landreau claim, I see no reason to differ from the conclusion to which my predecessors seem to have arrived. *John C. Landreau was an American citizen, apparently entitled, under a lawful contract, to reasonable compensation for important services to the Peruvian Government.* In conformity with the established practice of our Government, while you cannot, in such case make an official demand for the settlement of this claim, you will employ your good offices to procure its prompt and just consideration. You will have observed that in the *contract made by the Peruvian Government with Landreau and his brother*, it is expressly stipulated that any

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\* Mr. Henry O. Connor, on whose opinion Mr. Blaine based much of his energy in regard to the claim, is reported to have changed his views of its validity. (See House Report, No. 1790, 47th Congress, First Session, p. 224.)

† House Report, No. 1790, 47th Congress, First Session, p. 208.

questions arising under its provisions should be submitted to the judicial tribunal of Peru, and that in no case shall diplomatic intervention be asked. You will also notice that the supreme court of Peru, sustaining a decision of the court below, has ruled that it had no jurisdiction of this contract, thus leaving Landreau in a position in which he can neither appeal to his own Government nor obtain a judgment from the tribunals to which, by the contract, he was authorized to apply.

While this Government will not, as at present informed, undertake to construe the contract or to decide upon the extent of the compensation due Landreau, you are instructed to call the attention of the Peruvian Government to this injustice, and say that the Government of the United States will expect some adequate and proper means to be provided by which Landreau can obtain a judicial decision upon his rights. If the constitution of the Peruvian courts or the interpretation of the law by Peruvian judges deprives Landreau of the justice which the contract itself guaranteed him, then, in the opinion of this Government, Peru is bound, in duty and in honor, to do one of three things; viz., Supply an impartial tribunal, extend the jurisdiction of the present courts, or submit the case of Landreau to arbitration. I desire also to call your attention to the fact that in the anticipated treaty which is to adjust the relations of Chili and Peru, the latter may possibly be compelled to submit to the loss of territory. If the territory to be surrendered should include the guano deposits which were discovered by Landreau, and for the discovery of which Peru contracted to pay him a royalty upon the tonnage removed, then the Peruvian Government should in the treaty stipulate with Chili for the preservation and payment to Landreau of the amount due under his contract. If transfer be made to Chili, it should be understood that this claim of an American citizen, if fairly adjudicated in his favor, shall be treated as a proper lien on the property to which it attaches, and that Chili accepts the cession with that condition annexed. As it may be presumed that you will be fully informed as to the progress of the negotiations between Chili and Peru for a treaty of peace, you will make such effort as you judiciously can to secure for Landreau a fair settlement of his claim. You will take special care to notify both the Chilian and Peruvian authorities of the character and status of the claim in order that *no definitive treaty of peace shall be made in disregard of the rights which Landreau may be found to possess.*\*

The words italicized afford another instance of the adoption of an idea by Mr. Blaine, and his subsequent generation of facts to support it. John C. Landreau, as was shown above, at the time the contract was made, was not an American citizen; he never performed any services important or unimportant for the Government of Peru; the contract was never made with him *and* his brother, but with his brother alone, and the name of John C. Landreau does not occur once in the contract. Yet for the purpose of giving strength to the claim, he is elevated by Mr. Blaine to the position of Théophile.

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\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 509.

In searching for an explanation of Mr. Blaine's attitude toward the Landreau claim, we turn to his testimony before the Committee of the House, where he discusses the matter in the following homely but effective style:—

If the claim is decided against him that is the end of it; but if it is decided in his favor, then I shall expect that the English bondholders and the French claimants, and all those men, shall not gobble up and carry to Europe the very property to which this claim attaches. I can show you how the United States comes to be interested in it. It has discredited a claim which the House of Representatives had indorsed, and of course out in Peru and Chili the very action which had been taken three times by the State Department and once by the House of Representatives has, by certain public opinion, been discredited, and under that the English bondholders have gone off with half a million tons of guano, and have got \$30,000,000 for it; and they have got in England to-day the very property to which this claim attached if it had been adjudicated.\*

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If you decide in his favor, let him, although he is an humble citizen of a Government that seems afraid to go out over night, let him be taken into this account, and let him have some of the crumbs, at least, that fall from the rich Englishman's table in the settlement of the Chilian-Peruvian matter.†

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The Chilian Government has put up by advertisement 1,000,000 tons of guano, which I suppose is worth \$60,000,000 in Liverpool, and they pledge themselves in the advertisement to pay one-half of it into the Bank of England for the benefit of the English bondholders who put up the job of this war on Peru. It was a put-up job; that is all there was to it; it was loot and booty. It had not as much excuse in this as Hastings and Clive had in what they did in India. The war on Peru has been made in the same interest that Clive and Hastings had in India, and England sweeps it all in.

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It was to get possession of it. It was the old story of Naboth's vineyard which looked so inviting over the wall. They wanted this territory, and were determined to get it. I observed by this morning's papers that the English war fleet of seven large iron-clad vessels have concluded to slip down the coast from Callao to Valparaiso, and they have had a strong force there all the time—the English have.

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It is an English war on Peru, with Chili as the instrument, and I take the responsibility of that assertion. Chili would never have gone into this war one inch but for her backing by English capital, and there was never anything played out so boldly in the world as when they came to divide the loot and the spoils. They said, we will take half, and we will divide this inheritance among ourselves; and as to these American citizens about whom they talk, they have been discredited at home; and what right has an American citizen to be regarded down here? We are going to settle this ourselves.

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\* House Report, No. 1790, 47th Congress, First Session, p. 214.

† *Id.*, p. 215.

And we earned in the end, the high rank and title of being absolutely the subject of funny cartoons, in which the American Navy is represented as being blown out of the water by the Chilian fleet, and it is believed all over Chili to-day that we backed down for fear of being thrashed. The Chilian papers all say we escaped a great thrashing by getting out of it just in the right time. And that is the terrible war that I was going to urge the country into, in which the United States was to be ruined by Chili—eighteen hundred thousand people, eight thousand miles away, were going to whip the United States.\*

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Q. It certainly could not have helped Peru to pay it at that time, though?  
—A. Oh, no; but it would have helped Landreau, if he had got it, very much, and it would not have hurt her any more than to have it go to English claimants, if a portion of the \$60,000,000 had gone to Landreau instead of to the English bondholders; and I think that Peru would rather have Landreau have it than these other fellows.†

It is curious to compare Mr. Blaine's enthusiasm in behalf of Landreau, with his sluggishness respecting other naturalized citizens who were in English prisons. In the one case, he was deaf to pathetic appeals; in the other, he pressed of his own accord, without a suggestion or petition from any one interested, a groundless claim which he found slumbering in the archives of the State Department. It certainly was singular morality to place the alleged secret interest of a naturalized citizen of the United States in a Frenchman's claim, in the same category with the bonded indebtedness of Peru; it was morality still more singular to call a proposed arrangement by Chili for paying the debt of Peru, "dividing the loot and the spoil."‡ To Mr. Blaine, the guano and nitrates seemed to have been only so much "loot and booty." He did not like to see the foreign bondholders come in for a share with no American participation. "The execu-

\* House Report, No. 1790, 47th Congress, First Session, p. 217.

† *Id.*, p. 219.

‡ On November 10, 1880, the Chilian Minister of Foreign Affairs issued a circular to foreign powers, in which he announced that the surrender of the Territory of Tarapaca involved on the part of the successful power a recognition of the mortgages and incumbrances created upon it by Peru to her foreign creditors.

The publication of this circular aroused discussion in the Chilian press and Congress, and the Minister issued another circular on December 4, 1880. In this he stated that he did not wish to be understood as committing Government to the payment of any part of the Peruvian debt, but that the claims must be settled in accordance with the principles of international law. See Senate Ex. Doc. No. 79, 47th Congress, First Session, pp. 142, 148.

In the Iglesias treaty with Peru, which was ratified by the Chilian Congress January 16, 1884, the foreign creditors of Peru were excluded from any right over the guano and nitrate territory which had been pledged to them as security. These facts are a commentary upon Mr. Blaine's statement that the war was a put-up job on Peru, for the purpose of dividing the "loot and spoil" among the English bondholders.

tive, legislative, and judicial functions of Peru" — according to his own statement — "were in abeyance."\* The Calderon Government was existing by the support of the United States; the Peruvian people were looking to our Government as their only hope of territorial salvation. Under such circumstances Peru would doubtless have changed her views of the worthlessness of the claim, and "would rather have Landreau have it than those other fellows" who had loaned money to her, and taken bonds in return. According to Mr. Blaine, the amount of the claim was then to be a prior lien upon Peruvian territory, and its payment annexed as a condition to any treaty between Chili and Peru.

Less respectable than the Crédit Industriel, and a paltry sum compared with the product of Shipherd's glowing imagination, it was something American, and was to afford to Mr. Blaine another excuse for American intervention.

### THE SPECIAL MISSION.

Affairs in South America had now reached a crisis. In view, perhaps, of his approaching retirement from office, Mr. Blaine concluded to intrust their management to more dexterous hands. He notified General Hurlbut and General Kilpatrick that he would no longer need their services in the settlement of the "pending difficulties." He selected Mr. William Henry Trescot, of South Carolina, one of the most experienced diplomatists of this country, as special envoy to Chili, Peru, and Bolivia. In the words of Mr. Blaine, his "policy was reaffirmed with even more confidence and strength,"† and the instructions to Mr. Trescot would have been expressed in stronger terms if President Arthur had not objected to certain phrases.‡ The following passages will show that they were strong enough to produce further complications between this country and Chili.

The Congress which was assembled within the neutral zone for that pur-

\* Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 159.

† House Report, No. 1790, 47th Congress, 1st Session, p. 241.

‡ According to Mr. Blaine, one of the changes was as follows: —

"As it is probable that some time will elapse before the completion of all the arrangements necessary for a final negotiation, this Government would suggest a temporary convention, which, recognizing the spirit of our *pending intervention*, would bring Peru and Chili into amicable conference, and provide for a meeting of plenipotentiaries to negotiate a permanent treaty of peace.

"Well, 'intervention' was a little too strong a word, the President thought, and that was changed to '*the spirit of our present friendly representation*.' That change was made as the President suggested." See House Report, No. 1790, 47th Congress, 1st Session, p. 207.

pose by the Chilian authorities, and which was further allowed by the Chilian Government to provide for the military impositions by the use of the national credit, and thus recognized as the representative of the Peruvian people, authorized President Calderon to negotiate a peace, but upon the condition that no territory should be ceded.

As soon as these facts indicated the possibility of a real and independent vitality in the constitution of the Calderon Government, the Chilian military authorities issued an order forbidding any exercise of its functions within the territory occupied by the Chilian army—that is, within the entire territory west of the mountains, including the capital and ports of Peru.

Unable to understand this sudden, and, giving due regard to the professions of Chili, this unaccountable change of policy, this Government instructed its Minister at Lima to continue to recognize the Calderon Government until more complete information would enable it to send further instructions. If our present information is correct, immediately upon the receipt of this communication they arrested President Calderon, and thus, as far as was in their power, extinguished his Government. The President does not now insist upon the inference which this action would warrant. He hopes that there is some explanation which will relieve him from the painful impression that it was taken in resentful reply to the continued reognition of the Calderon Government by the United States. If, unfortunately, he should be mistaken, and such a motive be avowed, your duty will be a brief one. You will say to the Chilian Government that the President considers such a proceeding as an intentional and unwarranted offense, and that you will communicate such an avowal to the Government of the United States, with the assurance that it will be regarded by the Government as an act of such unfriendly import *as to require the immediate suspension of all diplomatic intercourse.* You will inform me immediately of the happening of such a contingency, and instructions will be sent you.

But I do not anticipate such an occurrence. From the information before the Department, of which you are possessed, it is more probable that this course will be explained by an allegation that the conduct and language of the United States Minister in Peru had encouraged the Calderon Government to such resistance of the wishes of Chili as to render the negotiation of a satisfactory treaty of peace with the Calderon Government impossible. Any explanation which relieves this action of the Chilian Government of the character of an intentional offense, will be received by you to that extent, provided it does not require as a condition precedent the disavowal of Mr. Hurlbut. Whatever may be my opinion as to the discretion of all that may have been said or done by Mr. Hurlbut, it is impossible for me to recognize the right of the Chilian Government to take such action *without submitting to the consideration of this Government any cause of complaint which it was prepared to allege against the proceedings of the representative of the United States.* The Chilian Government was in possession of the instructions sent to that Minister, as well as those to his colleague at Santiago. There was no pretense that the conduct of General Kilpatrick was anything but friendly. Chili was represented here by a Minister who enjoyed the confidence of his Government, and nothing can justify the assumption that the United States was acting a double part in its relations to the two countries. If the conduct of the United States Minister seemed inconsistent with what Chili had every reason to know was the friendly intention of the United States, *a courteous represen-*

*tation through the Chilian Minister here would have enabled this Government promptly to correct or confirm him.*

You are not, therefore, authorized to make to the Chilian Government any explanation of the conduct of General Hurlbut, if that Government, *not having afforded us the opportunity of accepting or disavowing his conduct*, insists upon making its interpretation of his proceedings the justification of its recent action.

There is something wonderful about these reiterated statements that no appeal had been made by Chili to the Government of the United States. It is necessary to refer again to the letters of Señor Martinez to Mr. Blaine of October 24th and 27th, the latter containing the communication of the Chilian Minister of Foreign Affairs, which reported and denounced the actions of General Hurlbut.\* December 1st was the date of Mr. Trescot's instructions. Therefore at the time when Mr. Blaine wrote the above words, he had for more than one month been in possession of a "courteous representation through the Chilian Minister," which afforded him "the opportunity of accepting or disavowing General Hurlbut's conduct."

Mr. Trescot's instructions continued as follows:—

It is difficult for me to say now how far an explanation would be satisfactory to the President which was not accompanied by the restoration or recognition of the Calderon Government. The objects which he has at heart are, first, to prevent the misery, confusion, and bloodshed which the present relations between Chili and Peru seem only too certain to renew; and, second, to take care that in any friendly attempt to reach this desirable end, the Government of the United States is treated with the respectful consideration to which its disinterested purpose, its legitimate influence, and its established position entitle it. The President feels in this matter neither irritation nor resentment. He regrets that Chili seems to have misconceived both the spirit and intention of the Government of the United States, and *thinks her conduct has been inconsiderate*. He will gladly learn that a calmer and wiser judgment directs her counsels, and asks in no exacting spirit the correction of what were perhaps natural misunderstandings. So he would be satisfied with the manifestation of a sincere purpose on the part of Chili to aid Peru, *either in restoring the present provisional government, or establishing in its place one which will be allowed the proper freedom of action necessary to restore internal order, and to conduct a real negotiation to some substantial result.*

Should the Chilian Government, while disclaiming any intention of offense, maintain its right to settle its difficulties with Peru without the friendly intervention of other powers, and refuse to allow the formation of any government in Peru which does not pledge its consent to the cession of Peruvian territory, it will be your duty, in language as strong as is consistent with the respect due an independent power, to express the disappoint-

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\* Quoted on p. 41.

ment and dissatisfaction felt by the United States at such a deplorable policy. \* \* \* This Government also holds, that between two independent nations hostilities do not, from the mere existence of war, confer the right of conquest until the failure to furnish the indemnity and guarantee which can be rightfully demanded.

The United States maintains, therefore, that Peru has the right to demand that an opportunity should be allowed her to find such indemnity and guarantee. Nor can this Government admit that a cession of territory can be properly exacted far exceeding in value the amplest estimate of a reasonable indemnity.

If our good offices are rejected, and this policy of the absorption of an independent state be persisted in, this Government will consider itself discharged from any further obligation to be influenced in its action by the position which Chili has assumed, and *will hold itself free to appeal to the other republics of this continent to join it in an effort to avert consequences which cannot be confined to Chili and Peru*, but which threaten with extremest danger the political institutions, the peaceful progress, and the liberal civilization of all America.\*

It is a significant fact that Mr. Blaine's farewell to his South American Policy was made through the medium of the Landreau claim. On December 14th, in his last dispatch relative to Chili-Peruvian affairs, he "reaffirmed" as follows:—

While disabusing the mind of the Chilian Government of any impression that the United States meditates intervention on behalf of private claims, beyond the use of its good offices, you will say that justice seems to demand that Landreau should have an opportunity to be heard in support of his claim before a tribunal in Peru competent to decide it, and that, if decided in his favor, *a treaty of peace which might cede territory to Chili should not be made in disregard of any rights which Mr. Landreau may be found, after an impartial judicial investigation, to possess.*†

If the instructions to Mr. Treseot had been carried out, this country, in all probability, would have been drawn into a war with Chili before the people of the United States became aware of any disagreement with that country. In those instructions the abolition of the Calderon Government is considered as an insult to the United States, and the restoration of that Government, or of some other Government approved by Mr. Blaine, is demanded. No explanation is made of the acts of General Hurlbut, although the Chilian Minister had, more than a month before, made representations concerning his conduct; the imaginary and novel principle of international law is re-stated; the Landreau claim is made a condition of any peace; and an alliance against Chili is threatened. When Mr. Treseot arrived in Peru,

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\* Senate Ex. Doc., No. 79, 47th Congress, First Session, pp. 176-178.

† *Id.*, p. 185.

Mr. Blaine was no longer Secretary of State, and Mr. Frelinghuysen hastened to revoke the instructions. The revocation followed so quickly upon the original, that both came simultaneously before the public, who regarded the whole series of events as belonging to the past, and never realized that the United States was on the eve of war with Chili, the only American republic which approaches us in respectability, civilization, and character.

### THE FEELING IN CHILI.

It is no misrepresentation to say that there was danger of a war, which would not only have embroiled the United States with Chili and other Spanish American republics, but also with some of the European Powers. The proceedings of General Hurlbut; the belief that the United States had determined to intervene for the purpose of preventing a cession of Peruvian territory; a published letter of Montero, Vice-President of the Calderon Government, thanking General Hurlbut for this promised intervention; the rumors that American claims without foundation were to be injected into the negotiations, and their payment made a condition of peace,—all these facts had driven the Chilians to desperation. Santa-Maria, the President of Chili, called together the leading statesmen in consultation, and all expressed their willingness to accept war with the United States rather than its dictation of terms of peace with Peru and Bolivia.

Soon after his arrival in Chili, Mr. Trescot, on January 13th, wrote to Mr. Frelinghuysen:—

Postponing to next mail a careful appreciation of the very delicate and difficult character of the question with which it has been made my duty to deal, I can only say now that I found here a state of feeling excited far beyond anything that I had anticipated.\*

This excitement had existed for a long time before Mr. Trescot's arrival. After the death of General Kilpatrick, Mr. Foote, the United States Consul at Valparaiso, had written on December 9th to Mr. Blaine:—

It seems to me, with less haste more progress might have been made. This country need not have been agitated and alarmed by this imprudent zeal, and our influence, which has for years been paramount here, need not have been destroyed.

The Senate and House of Deputies have been in secret session for days

in the discussion of these questions. The leading Senator of the party opposed to the Government said to me:—

“ We are a unit. The United States may crush a sister Republic if she can afford to do so; but she shall not intimidate and dictate to us; we will die hard, and we will make use of every resource which God and nature have given us.”

And knowing as I do the temper of the people, I believe this to be *the universal sentiment.*\*

\* Senate Ex. Doc., 47th Congress, First Session, p. 183.

That a vigorous renewal of Mr. Blaine's policy may be expected, should he ever have an opportunity to renew it, is seen from the following: “ I think it will be demonstrated in the very near future, that the United States will have to assume a much more decided tone in South America than the one which I took, and which was rescinded, or else it will have to back out of it, and say that it is a domain that does not belong to us, and we surrender it to Europe.” House Report, No. 1730, 47th Congress, First Session, p. 352.

Mr. Blaine has declared that his policy could have been carried to a successful issue without the United States firing a gun. There is every reason, however, for believing that he would have been mistaken in relying upon the pliability of Chili. The feeling among the people was intense, and in addition to their hope of European interference, the Chilians were assured beforehand of the sympathy of Brazil and of almost all the other Spanish American States.

The following comparison of the Chilian navy with that of the United States from the New York *Herald* of September 17, 1883, prepared by the special correspondent at Lima, shows that whatever the issue of such a war, the immediate effects would have been disastrous to this country.

“ THE CHILIAN NAVY.—The report of the Chilian Minister of Marine, Señor Don Carlos Castellon, presented to the Congress now in session at Santiago, under date of June 1, 1883, contains some tables of the available force of the Chilian Navy, which I combine and translate as follows:—

	<i>Tonnage.</i>		<i>Steamers:</i>		<i>Tonnage.</i>
Iron-clads:					
Blanco Encalada . . . . .	2,033		Altao . . . . .		1,057
Almirante Cochrane . . . . .	2,033		Toltén. . . . .		240
Huascar . . . . .	1,130				
Corvettes:			Transport:		
O'Higgins . . . . .	1,101		Chile . . . . .		1,173
Chacabuco . . . . .	1,101		Storeships:		
Gun-boats:			Thalaba . . . . .		800
Magallanes . . . . .	775		Valdivia . . . . .		700
Pirconayo . . . . .	600		Miraflores . . . . .		1,000
Cruisers:					
Amazonas . . . . .	1,373		Total . . . . .		15,681
Angamos . . . . .	465				

In supplementary tables it enumerates besides:—

Storeships—Elvira Alvarez, Pachitea, and Kate Kellock.

Steamers—Lautaro, Toro, Isluga, Gaviota, and Valparaiso.

Torpedo Launches—Fresia, Colocolo, Tucapel, Guacolda, Lanca, Glaura, Tegnaldia Janequeo, Guale, Quidora, and Rucumilla.

Six of those torpedo launches are each 100 feet long, three 86 feet, and two 48 feet.

It should be understood also though the Minister of Marine does not allude to it, that besides these armed vessels the South American Steamship Company, a Chilian corporation, possesses ten large steamers engaged at present in private trade between Valparaiso and Callao and Valparaiso and Europe. Some of them, as for example the Maipo, the Maipocho, and the Cachapoal, are of nearly three thousand tons (according to the present scale of British registered tonnage), and are the newest and finest passenger and freight steamers afloat in the Pacific Ocean. All are available for use by the Chilian Government as naval transports.

THE UNITED STATES PACIFIC SQUADRON.—Now let us compare with the Chilian navy

### THE REVERSAL OF MR. BLAINE'S POLICY.

Mr. Blaine retired from office at the close of 1881. Mr. Frelinghuysen entered upon the duties of Secretary of State on January 1st. 1882. On January 3d he telegraphed to Mr. Trescot as follows:—

Exert pacific influence. Avoid any issue leading to your withdrawal from Chili.\*

On the same day he sent another telegram, in about the same terms. On the next day he telegraphed again.

Secretary Frelinghuysen informed Mr. Trescot by telegraph on this date, that it was the wish of the President that our friendly offices should be extended impartially to both republics; that a pacific influence should be exerted, and every issue, which might lead to offense, avoided; that questions growing out of the suppression of the Calderon Government could be attended to at Washington; and that it was preferable that he should not visit Buenos Ayres on his way home.†

On January 9th, in the following dispatch, he rescinded Mr. Blaine's policy distinctly and entirely.

The President wishes in no manner to dictate or make any authoritative utterance to either Peru or Chili as to the merits of the controversy existing between those republics, as to what indemnity should be asked or given, as to a change of boundaries, or as to the *personnel* of the Government of Peru. *The President recognizes Peru and Chili to be independent republics, to which he has no right or inclination to dictate.*

*Were the United States to assume an attitude of dictation toward the South American republics, even for the purpose of preventing war, the greatest of evils,*

the Pacific squadron of the United States. It consists of five wooden screw steamers and a storeship, whose rates, tonnage, \* \* \* are stated as follows in the last edition of the Naval Register:—

Second Rates.	Tonnage.	Third rates.	Tonnage.
Hartford . . . . .	1,800	Iroquois . . . . .	895
Lackawanna . . . . .	1,026	Wachusett . . . . .	895
Storeship.		Adams . . . . .	615
Onward . . . . .	704		
		Total . . . . .	5445

The steam-power of the vessels and the calibre and species of their guns are not given in the Register; but it is notorious that their armament is as antiquated as are the ships themselves. It consists of old smooth-bores, a few of which have been fitted with rifle-cores. There is not a first-rate or a second-rate vessel in the Chilian navy whose armament would not permit her to shell and sink all the ships in this American squadron if, by superior speed, she could keep beyond the range of the enemy's old guns.”

\* U. S. Foreign Relations, 1882, p. 56.

† Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 186.

Mr. Trescot had been instructed by Mr. Blaine to return by the way of Buenos Ayres and Rio de Janeiro for the purpose of calling attention to the importance of the proposed Peace Conference.

*or to prescre the autonomy of nations, it must be prepared by army and navy to enforce its mandate, and to this end tax our people for the exclusive benefit of foreign nations.*

The President's policy with the South American republics and other foreign nations, is that expressed in the immortal address of Washington, with which you are entirely familiar. What the President does seek to do, is to extend the kindly offices of the United States impartially to both Peru and Chili, whose hostile attitude to each other he seriously laments; and he considers himself fortunate in having one so competent as yourself to bring the powers of reason and persnasion to bear in seeking the termination of the unhappy controversy; and you will consider as revoked that portion of your original instruction which directs you on the contingency therein stated as follows:—

" You will say to the Chilian Government that the President considers such a proceeding as an intentional and unwarranted offense, and that you will communicate such an avowal to the Government of the United States, with the assurance that it will be regarded by the Government as an act of such unfriendly import as to require the immediate suspension of all diplomatic intercourse. You will inform me immediately of the happening of such a contingency, and instructions will be sent to you."\*

Believing that a prolific cause of contention between nations is an irritability which is too readily offended, the President prefers that he shall himself determine, after report has been made to him, whether there is or is not cause for offense.

It is also the President's wish that you do not visit (although indicated in your original instruction you should do so), as the envoy of this Government, the Atlantic republics after leaving Chili.

The United States is at peace with all the nations of the earth, and the President wishes hereafter to determine whether it will conduce to that general peace, which he would cherish and promote, for this Government to enter into negotiations and consultation for the promotion of peace with selected friendly nationalities without extending a like confidence to other peoples with whom the United States is on equally friendly terms.

If such partial confidence would create jealousy and ill will, peace, the object sought by such consultation, would not be promoted.

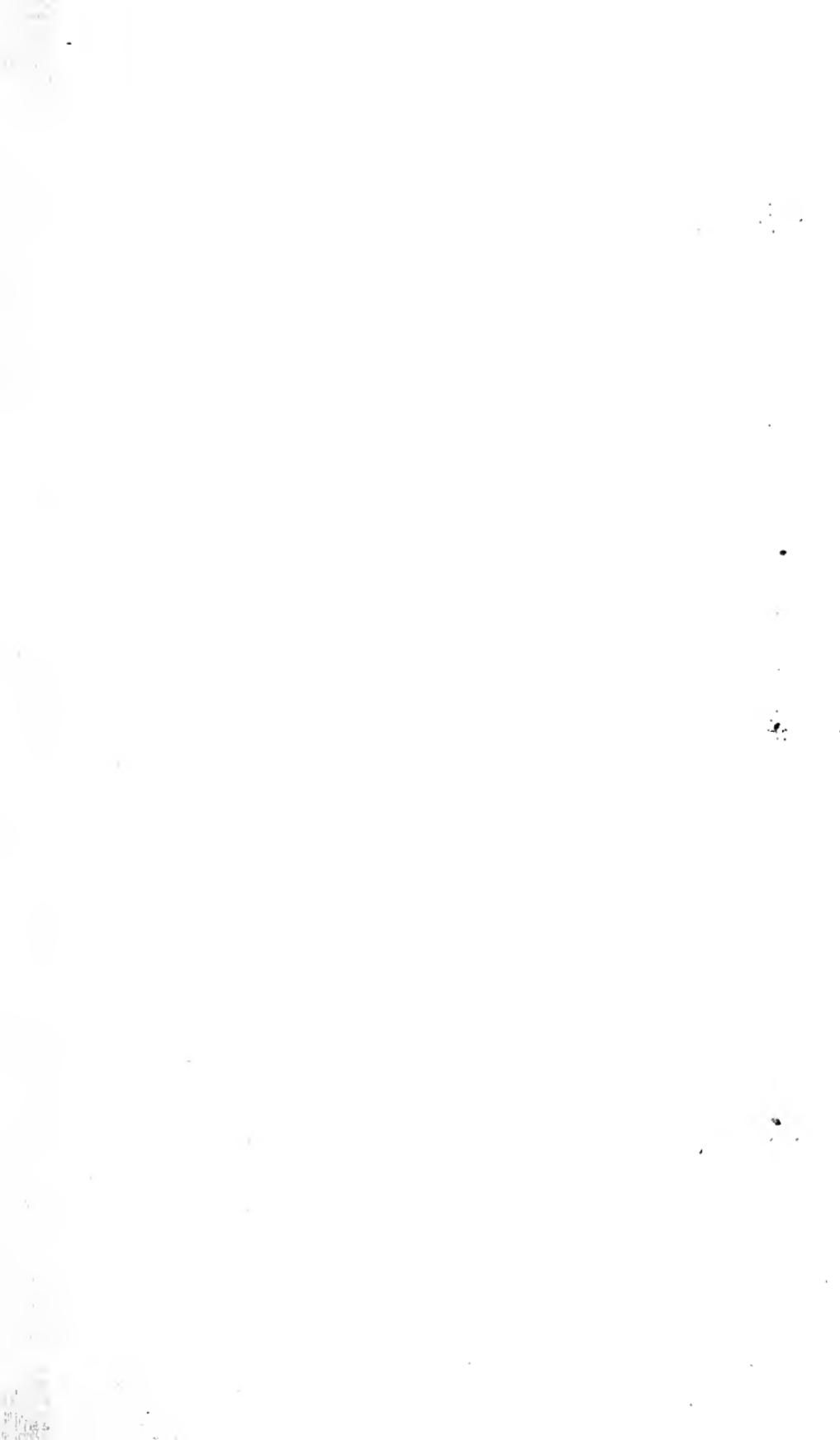
The principles controlling the relations of the republics of this hemisphere with each other and with other nationalities may, on investigation, be found to be so well established that little would be gained at this time by reopening a subject which is not novel. The President at all events prefers time for deliberation.†

With this judgment on Mr. Blaine's South American Policy, pronounced by a Republican administration, we close our examination of his career as Secretary of State.

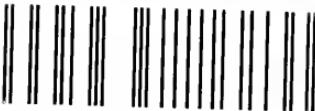
\* See p. 63.

† Senate Ex. Doc., No. 79, 47th Congress, First Session, p. 7.





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